

# OXFORD

## MAGAZINE

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In this issue we publish an article which, as we have become acutely aware, calls into question the very survival of *Oxford Magazine*. Like many articles this one came, unsolicited and unannounced, from colleagues urging a strongly held position. Steeled by earlier experience we started the process of consultation and legal vetting that is so important in such circumstances. Initial reactions were varied and some alarmed to the point of questioning the wisdom of publication in this case. A number of weeks later a somewhat constrained version of the original is the result. There will, no doubt, be some readers who still would prefer that we had kept quiet.

On one level this article, concerning a webinar at St Peter's, describes just one example of the 'no-platforming' incidents that have become almost familiar in Oxford and many other universities. On this occasion what might have started as just another localised and soon-to-be-forgotten student protest turned out to have had wider implications lasting many weeks. JCRs in several other colleges took up the cause and, to our knowledge, there were significant ramifications across the University thought best kept out of the public eye.

### Free expression

On another level the incident highlights issues arising from government interference in university affairs. Through the Office for Students the Department for Education has put pressure on universities to adopt the IHRA definition of antisemitism. Not all English universities have complied. Most have, including Oxford. Some append caveats to their adoption of the definition, inseparable as it is from its attached illustrative examples. Thus by implication we, as members of the University, have all signed

up to this highly contestable definition and have become aligned, by association, with a certain view about the endlessly intractable situation in the Middle East.

But there is a yet deeper level to all this and it concerns another government intervention: the Higher Education (Freedom of Speech) Bill now before Parliament, one provision of which is the potential fining of student unions involved in no-platforming. This new initiative from the Department for Education exemplifies the whole gamut of muddled political and social forces that universities have to respond to. Already free speech (i.e. the protections for the uninhibited expression of the full range of opinion from either left or right) is limited by law and

#### *Oxford Magazine* publication arrangements

We are unable to publish the *Oxford Magazine* in print for the foreseeable future, as a result of COVID19-related working restrictions. Arrangements for archival copies will be made at a later date.

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## INSIDE

● NO-PLATFORMING  
Page three

● LOSING LANGUAGES  
Page five

● PRACTICAL ETHICS  
Pages eight, eleven, sixteen, twenty

...and much more

curtailed by the Prevent duty. Universities, as autonomous, self-governing institutions whose academic values require freedom of debate, ought, surely, to be trusted and expected to find their own ways through this minefield. So why does the government seek to intervene so controversially in this way and why at this moment?

It is claimed by some of those against this incoming policy that incidents of no-platforming are rare. But this is to misunderstand and underestimate the true nature of what is happening. What has changed—relatively recently—is the perceived threat (and apparent power) of small groups of activists to challenge and disrupt the normal work of a university. The real danger that results is self-censorship as the safest policy for many academics wanting to get on with their already busy lives. The free speech Bill can easily be seen as just part of a broader agenda of a ‘populist’ right-wing government which is already dictating to English universities in many policy areas on an unprecedented scale; but also as unnecessary and paradoxically itself opening up possible new constraints on free speech, particularly for student unions. The Police, Crime, Sentencing and Courts Bill 2021, designed as it is among other things to give the police extraordinarily wide discretion in dealing with the sorts of campaigning tactics we have recently seen organized by Extinction Rebellion, is an even more worrying interference with free expression.

The proposal in the free speech Bill for a ‘free speech champion’ on the Office for Students’ Board is inherently a political appointment. The idea must be opposed principally because it undermines the autonomy of universities. Universities themselves must be left free to control their own academic freedom.

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Three weeks ago a member of Extinction Rebellion sat down with a placard (“I’m terrified for my grandchildren’s future because of the climate change”) in the road opposite the Ashmolean causing hours of traffic chaos without any obvious police intervention. An editorial in the *Oxford Times* described her actions as “wrong-headed” and the result of a “foolish tantrum”. We live now in a society where the expression of the whole left-to-right range of

passionately-held views are tolerated (if not actually facilitated and fostered, e.g. by social media and by press attention) and a tiny vocal minority can exert immediate and widespread effects on the population and on government policy-making.

In this issue Roger Teichmann argues, in the context of pandemic lockdowns, that there are limits to the extent to which we as citizens should feel obliged to ‘obey the law’. He suggests that, at a certain point where the most fundamental matters of principle or personal belief are involved, we are fully justified in acting in ways that conflict with the policies of the elected government. Even though few among us have the determination—and courage—to pay the costs in terms either of opprobrium or arrest, when it comes to something like the looming disaster of climate change, lone protesters are bound to be speaking for the many who stay silent.

Our democratic system evidently strains to deal with the sorts of societal tensions mentioned here. Even democratic elections—let alone referendums—can serve to exaggerate the divisions to which society is prone. Too often, as we have recently seen, the police are left to make potentially drastic decisions in handling protests, given the absence of adequate statutory or governmental guidelines. Increasingly new ways of policy-making and bridging of divides are being sought, e.g. citizens assemblies or Swiss-style ‘semi-direct’ democracy. But one suspects that there is no panacea; consensus can only be built up if there is wide-enough citizen engagement and informed consent. First of all everybody has got to want to achieve consensus and this will involve a preparedness to listen to one’s opponents and an intention to compromise.

Meanwhile *Oxford Magazine* aims to survive as a beacon of free expression of opinion across the University. We do not need a free speech champion. To those who would prefer that we had remained silent our reposte is obvious: we urge them to write an uninhibited article for us on how they would suggest a better way of providing for the open expression of views, however unwelcome some of them may be for some among us in this University.

T.J.H

#### NOTICE

The Editors of the *Oxford Magazine* regret that they cannot publish any material submitted to them anonymously. If the author requests publication on the basis that the author’s name and university address be withheld from the readership, the Editors will consider the reasons given and in their discretion may publish on that basis; otherwise the material will be returned to the author.

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# The Campaign against Ken Loach and St Peter's College

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AVI SHLAIM, JONATHAN ROSENHEAD and COLIN GREEN

WE write as three academics to protest the unfair accusations made by a number of students against the multi-award winning film-maker, social campaigner, lifelong anti-racist, and human rights activist Ken Loach. As a distinguished alumnus of St Peter's College, he was invited to a discussion about his career and films together with the Master, Professor Judith Buchanan. This was advertised as a joint event between TORCH, the Oxford Research Centre for the Humanities and St Peter's College. The event was part of a broader university Humanities Cultural Programme, which fosters debate between artists and academics about an artist's work.

What followed was a well-orchestrated campaign of character assassination against a man who had been profoundly affected by horrendous images from Belsen-Birkenau and other concentration camps and then spent his life championing the victims of war, occupation, colonialism, oppression, and discrimination as well as the destitute and socially deprived in our own society.

St Peter's was bombarded with messages demanding it cancel the event. The Oxford University Jewish Society tweeted that it was deeply disappointed by the decision to host the event because 'On numerous occasions Loach has made remarks that are antisemitic under the IHRA [International Holocaust Remembrance Alliance] definition, which was recently adopted by the University of Oxford'. Any objective analysis of these claims will show that they are baseless, except under this particular definition. To us, at any rate, the campaign against the artist looks like part of a wider political move, spearheaded by Mr Gavin Williamson, the Secretary of State for Education, to block free speech on Israel in English universities by insisting that they all adopt the IHRA definition.

As announced on the Board of Deputies of British Jews website, Marie van der Zyl, BDBJ President, wrote to Professor Buchanan, describing the decision to invite Ken Loach to speak at her college as '*entirely unacceptable*' and called for the event to be cancelled. The Union of Jewish Students (UJS), a national organisation which represents 8,500 students, piled on the pressure and expressed outrage that St Peter's College had ignored the concerns of its Jewish students and urged Judith Buchanan to remove this speaker from the event.

With commendable courage, St Peter's College and TORCH refused to cave in and the event went ahead as planned. It was also streamed live on YouTube. Apart from the protesters, it was seen as a wonderful success with Ken Loach showing clips from his films 'The Wind That Shakes the Barley' (2006) about the Irish War of Independence and the civil war that followed, and 'I, Daniel Blake' (2016) about the inhumanity of the social benefits system. Loach talked about his films, and the worldview that informs them, eloquently and movingly in the discussion.

The day after the event took place, on 9 February, the Student Union of Wadham College held a meeting regarding St Peter's College and Ken Loach. The motion before the meeting alleged that Ken Loach had in the past made antisemitic remarks and that he was complicit in Holocaust denial. The censure motion to formally condemn St Peter's College was passed by a large majority. One of us (Avi Shlaim) was so dismayed by these accusations that he issued the following statement:

*I deeply regret the attack by Wadham College students on Ken Loach. He has a strong and consistent record of opposing racism of every kind, including antisemitism. He is anti-Zionist but in no way antisemitic. He is charged with having made comments that are antisemitic under the IHRA definition. But that definition is utterly flawed. Its real purpose is to conflate anti-Zionism with antisemitism in order to suppress legitimate criticisms of Israeli policies. Antisemitism is hostility towards Jews because they are Jews. Under this proper definition Ken Loach is completely innocent. He is also an admirable person, a champion of social justice, and an outstanding artist. The attack on him undermines freedom of speech and that has no place in an academic institution. I therefore urge the students of Wadham College to stop their vilification of Ken Loach and to accord him the respect that he so richly deserves.'*

The Junior Common Rooms at St Peter's, St Hugh's, Hertford, and Keble colleges also passed resolutions by large majorities condemning the action of St Peter's in inviting Ken Loach. Keble College JCR condemned the Master of St Peter's for the way she had handled the issue. St Hugh's motion claimed that '*the regrettable response of St. Peter's College has encouraged the pile-on of antisemitic abuse*'. This is a serious matter. But if there was indeed a spike in antisemitic abuse, it is more likely to have come as a result of the students' attempt at no-platforming than of the cultural event organised by St Peter's College and TORCH.

It seems to us that the attack on Ken Loach at Oxford is part of a bigger picture. The bigger picture is the persistent attempt by Israel's aggressive defenders in this country and elsewhere to conflate anti-Zionism with antisemitism. The IHRA definition is the perfect tool to this deplorable end. As so often is the case, this initiative by some Oxford students was promptly seized upon by an impressive array of pro-Israel organisations which is always waiting in the wings.

The reality is that British Zionists have never forgiven Ken Loach for directing, back in 1987, a play, *Perdition*, by socialist playwright Jim Allen that was based on a libel trial in Israel in which certain Zionists in Hungary were accused of allowing fellow Jews to be sent to Auschwitz. The play's premiere in the Royal Court Theatre was abandoned in response to fierce protests. In a letter to *The Guardian*, years later, Loach wrote that 'the charge of antisemitism' against Allen's play 'is the time-honoured

way to deflect anti-Zionist arguments'. This may well be the origin of the vendetta against Ken Loach.

The sorry Oxford saga highlights yet again the problematic nature of the IHRA 'working definition of antisemitism'. The definition states: 'Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities'.

This definition of antisemitism has been deliberately politicised by Israel's supporters so that it could be deployed to inhibit free debate and discussion on Israel. The vacuous two-sentence definition itself does not mention Israel. But no less than seven out of the eleven 'illustrative examples' that follow, on what may constitute antisemitism, refer to Israel. They include 'Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor'; 'Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation'; 'Drawing comparisons of contemporary Israeli policy to that of the Nazis'; and 'Holding Jews collectively responsible for actions of the state of Israel'. To achieve consensus within the International Holocaust Remembrance Alliance, the examples had to be separated from the definition. Israel's friends, however, persist in conveying the false impression that the examples are part of the definition.

It was this fundamentally flawed and grotesquely partisan IHRA document that the Oxford students used to condemn a prominent left-wing critic of Israel and a defender of Palestinian rights and to try to deny him a platform. The attempt at no-platforming ultimately failed because Professor Buchanan, the Governing Body of her college, and TORCH upheld Oxford University's policies on freedom of speech. In defence of their action they stressed that neither the college nor the University believe in no-platforming.

One of the many flaws of the IHRA definition is the singling out of Jews for special protection. This makes Jews less likely to attract solidarity and cooperation from other groups who are also susceptible to racial prejudice such as Asians, Afro-Caribbeans, Arabs, and Muslims. To be effective, the fight against racism, indeed all forms of bigotry and discrimination, needs to take place across the

board and not in isolated corners. We do not need new definitions. What we need is a code of conduct to protect all minority groups against discrimination and harassment while protecting freedom of speech for all members of the University.

Some of the UK's 133 Higher Education institutions openly, and courageously, rejected the IHRA definition; 85 capitulated to the ministerial diktat by signing up to it; and the rest chose not to commit themselves one way or the other. Oxford University has fixed its colours firmly to the fence. The statement on its website says: 'Oxford University aims to ensure that all students, whatever their background, have a fulfilling experience of higher education. To support us in our work, we have adopted (reflecting the position of the Office for Students) the IHRA definition of antisemitism as a guide to interpreting and understanding antisemitism, noting the clarifications recommended by the Home Affairs Select Committee. The IHRA definition does not affect the legal definition of racial discrimination, so does not change our approach to meeting our legal duties and responsibilities'. In other words, Oxford University will draw on the definition for intellectual enlightenment in thinking about antisemitism but not as a guide for action.

The right to freedom of expression is already embodied in UK law by the Human Rights Act of 1998, section 6 of which expressly prohibits a public authority from acting in a way that is incompatible with Convention rights. Specific protection for freedom of expression in universities is provided by section 43 of the 1986 Education (No. 2) Act. In other words, universities have a legal responsibility to protect academic freedom and free speech. By putting pressure on universities to adopt the IHRA definition and threatening to cut off funding to those that refuse, in our considered view Mr Williamson has acted both unethically and unlawfully.

The IHRA working definition of antisemitism was not designed by Kenneth Stern, the lead author, as a guide to action but for scholarly discussion only. Instead of relying on this controversial definition, Oxford students would be well advised to re-examine more carefully Ken Loach's actual record. If they do so, they will find examples aplenty of harsh criticisms of the State of Israel and of its policies towards the Palestinians but not a scintilla of evidence of anti-Jewish racism.

The editors invite and welcome contributions from all our readers.  
The content of Oxford Magazine relies largely on what arrives spontaneously on  
the editors' desk and is usually published as received.

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# Modern Languages Matters

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BEN BOLLIG

KATRIN Kohl's punchy new book, *Modern Languages. Why It Matters* makes the case for the importance of language learning in the UK. It should be compulsory reading at the Department for Education and for HE policymakers around the country – as well as the next Head of our Humanities Division, whoever they may be. But that such a case needs to be made reveals the profound and long-standing problems, unaddressed or worsened by successive governments, that the discipline faces. A similar book on, for example, immunology or AI, hardly feels necessary today. The current difficulties for Modern Languages (ML) departments in the UK are both deep-rooted and more recent in nature.

Kohl's arguments for modern languages are both pragmatic and philosophical. "Globalization has not done away with the need for modern linguists – if anything, they are more necessary than ever", she states.<sup>1</sup> Her impassioned defence connects to a sense of language learning's role in understanding cultures: "What lies at the heart of modern languages [...] is the deep connection between language and culture – language in all its facets, and culture in all its guises" (x). The humanist tradition sits alongside practical concerns: "learning a language becomes tantamount to understanding a fundamental aspect of human culture and what it means to be human. It opens up a unique pathway to appreciating the value of languages – in the plural – as a fundamental human freedom" (128).

While Kohl focusses mostly on the European languages that are the stock-in-trade of UK ML departments, she insists, "ultimately, though, every language is worth learning" (31). This is because of the value of any particular language, and because of what the learning process means in itself: "Committing to language learning and an understanding of cultural contexts is invaluable in fostering an open-minded willingness to engage with perspectives other than our own" (39).

Kohl sees a political role for the discipline, too: "the modern linguist will be an important voice in a world which faces challenges that are simultaneously local and global" – be it climate change or inequality (xii). Kohl cites a Cardiff Business School report that estimates the UK loses around 3.5% of annual national income because of what the authors call "language ignorance" (74).<sup>2</sup> For individual language learners, Kohl promotes the "special benefits" of modern languages: cognitive skills, social confidence, enhanced adaptability and cultural understanding, and thinking "outside the box" (36). We could add travel, employability, and quality of life to the list.

Languages are taught across the University – in Classics, the Oriental Institute, in the Language Centre, and to many – historians, geographers – who are not studying a language-focussed degree.<sup>3</sup> But it is in modern languages departments here and elsewhere that difficulties, and the need for Kohl's defence, appear most acute. It is too depressing (and space-occupying) to list the closures and cuts to ML provision in Higher Education across the UK, but one recent example is revealing. Much has been made

of the damage that would be done to the study of History by a proposed department closure at Aston University, but little of the press coverage took time to note that language courses would also be lost.<sup>4</sup>

This is not a recent crisis. As acutely analysed by Megan Bowler in a report for HEPI (Higher Education Policy Institute) from 2020, it dates back at least to the Labour government's decision to make language-learning optional post-14 in schools.<sup>5</sup> Subsequent policy decisions compounded the damage, as Bowler observes. She highlights the "sporadic" teaching of languages at primary level in England. There exist "negative perceptions" around languages GCSEs and A-Levels – related to difficulty and elitism – and a lack of alternative qualifications. This leads to striking regional and demographic variations in languages provision in secondary schools. The raw numbers that result are stark: "32 per cent of 16-to-30-year olds in the UK feel confident reading and writing in another language, compared to the [...] EU's 89 per cent average."

Some of these problems were meant to be addressed by the much-heralded EBacc, but this is a policy that has now almost been forgotten in Whitehall. At each level, lack of provision creates negative feedback loops, as has been seen sharply in Northern Ireland, according to another report, by the British Council.<sup>6</sup> The result, nationwide, is the vulnerability of university languages departments and centres to cuts and closures.

This is against the backdrop of a government that takes an instrumentalist approach to education: specifically and explicitly pushing STEM subjects while cutting funding for arts education. Recent proposals on teaching languages to GCSE seem focussed more on ease and employability, with little room for cultural awareness, and as some critics have complained risk leaving pupils "able to talk about almost nothing".<sup>7</sup> They have drawn extensive criticism from the All-Party-Parliamentary Group on Modern Languages.<sup>8</sup> Those looking for signs of hope might see this lively cross-sector debate, drawing on work done by the APPG, the British Academy, the AHRC and others, as an indication of renewed determination to address the UK's "language gap".

At university level, there are structural issues: budget deficits are endemic to ML departments. Funding regimes treat modern languages like any other Humanities subject. In abstract terms, it is no different from, say, English or History – and colleagues in the discipline often like to say that an ML degree is, in essence, a literature or culture degree, just in a language that is not English. But, put simply, it costs more to teach undergraduate ML students than the units teaching them receive in income. This may be true of all subjects in Oxford, but is especially so for ML, given the need for language classes, a year abroad, and the difficult economies of scale in comparison to, for example, a History department. Budget criteria are set centrally, often with degrees of opacity, with cost- and income-allocation particularly unfavourable to ML. Additional HEFCE funding for courses that cost more to run was removed a few years ago. A joint report last year from

the British Academy, AHRC and other sector members recommended improvements to these funding arrangements for ML.<sup>9</sup>

What is more, the demands for language teaching from students (and their parents/carers) grow year-on-year, and will continue to do so until issues in schools are addressed. Much of this demand, this need, stems from issues around teaching pre-university (covered in Bowler's report, above), despite the best efforts of hard-pressed secondary-school language teachers. The result is that students coming to university require more and more intensive teaching, often remedial in nature, calling for additional resources (and new skills from tutors and instructors/lecturers). Gone are the days of tutors sending their students away with a dictionary and grammar and a copy of *Don Quijote* or *Faust*.

More generally, as well as the additional languages classes students enjoy, many departments also provide business language skills, intercultural communication, and employability—all of which contributes to the ubiquitous financial deficits and shortfalls. In short, modern languages needs to be funded more like a “practical” or (partly) lab-based subject, but there seems little willingness in universities or government to accept this argument. One wonders if those in Wellington Square responsible for the JRAM and other budgetary formulae are fully aware of the special demands language teaching places on modern languages departments, distinguishing them from other humanities subjects.

Meanwhile, the problems caused by Brexit are both ideological and practical. Separation from the rest of Europe and greater alignment with the USA (despite its very large Spanish-speaking population) does not seem to favour learning European languages. At the same time, we have seen little initiative from government to promote or support Mandarin, Arabic, or Russian; nor does the government seem aware that French too has huge populations of speakers outside of Europe. As Kohl notes, “the decision to leave the European Union taken in 2016 and implemented in 2020 arguably resulted in increased ‘linguaphobia’ (fear of foreign languages) in some parts of the [UK] population”. She notes the rise of what she calls pro-English “language vigilantes” (72). Bowler, earlier, observed that “the post-Brexit climate has meant the issues of multilingualism and multiculturalism are now politically contentious. To speak another language is to be associated with an internationalist mindset, and the defence of language learning is charged with wider social issues beyond the scope of education policy.”

Brexit—and in particular changes in visa regulations—has created particular administrative headaches for language teaching, including the recruitment of teachers and assistants, as well as contributing to an uncomfortable environment for many heritage speakers—of Spanish, Portuguese and Polish, for example—who represent a potential “growth market” for language departments, much as the Hispanic and Latinx community has been a mainstay of language departments in the US. Surely, though, the UK should be teaching languages even more now; we need to be more global as a nation, not less. The image of the British overseas cannot be the “little Englander” shouting louder when misunderstood in his or her own language. We are being lazy and arrogant if we expect English to be a *lingua franca* in all contexts.

There are specific questions for Oxford, too. OM readers will have followed some of the discussions about the Language Centre, which plays a key role in teaching languages as extra-curricular options to large numbers of students and staff across all departments of the University, but whose future shape and direction has been a matter of controversy, leading to a motion in Congregation. An external review and now an internal one are in the making and one would hope that, whatever their findings and recommendations, Council will recognise the need to support the academic role played by the Language Centre in introducing our students and staff to foreign cultures. Its other function, teaching academic English, is important but there are serious risks entailed by the latter's expansion, simply because it can easily be turned into a profit-making operation serving online customers worldwide, eager to earn an Oxford seal of approval.

Deficits in language departments lead to pressures on the number and type of jobs available; an easy way to save money is to hold back a permanent tutorial-fellow/lecturer-type appointment, and bridge the gap with short-term, often modestly remunerated and contractually demanding, ‘casual’ posts. This is far from unique to Oxford, but the attractiveness of the institution and the city makes it more common—professionals are willing to sacrifice finances and nerves to work in this place, in particular those recent post-graduates and Early Career Researchers who find themselves competing in a saturated and under-funded job market.

Language teachers also occupy a potentially difficult position in the sclerotic Oxford employment system. Many are internationally recognised professionals with excellent records of accomplishment in teaching and scholarship. Often without college affiliation, or employed in college-only posts, though doing very similar jobs to their peers, they are acutely subject to the strains of casualization. Moreover, they do not enjoy the possibilities for advancement found at other institutions in the UK, which provide career paths beyond grade seven as a means to recognise their contribution and importance to a vital and undervalued discipline.

<sup>1</sup> Katrin Kohl, *Modern Languages. Why It Matters*. Cambridge: Polity, 2021, p. 128. Further references in parentheses.

<sup>2</sup> And see also the recent report by Aston Business School, as covered here: <https://www.thebritishacademy.ac.uk/news/british-academy-welcomes-new-research-showing-value-of-language-skills-to-smes/>

<sup>3</sup> Approximately 2,000 members of the University attend courses at the Language Centre annually, a large percentage of whom are not studying a languages-based course; around 600 students are enrolled on courses in Classics; there are around 500 UG and PG students (excluding joint masters courses) at the Oriental Institute; and in Modern Languages approximately 1,100 UG students and c170 PG students. I am grateful to a number of colleagues for providing these figures.

<sup>4</sup> See <https://www.ucu.org.uk/article/11509/UCU-to-fight-closure-of-history--language-courses-at-Aston-University>

<sup>5</sup> Megan Bowler, *A Languages Crisis?* [https://www.hepi.ac.uk/wp-content/uploads/2020/01/HEPI\\_A-Languages-Crisis\\_Report-123-FINAL.pdf](https://www.hepi.ac.uk/wp-content/uploads/2020/01/HEPI_A-Languages-Crisis_Report-123-FINAL.pdf)

<sup>6</sup> See [https://nireland.britishcouncil.org/sites/default/files/language\\_trends\\_final\\_web\\_version.pdf](https://nireland.britishcouncil.org/sites/default/files/language_trends_final_web_version.pdf)

<sup>7</sup> See <https://www.gov.uk/government/consultations/revised-gcse-qualifications-in-modern-foreign-languages/revised-gcse-qualifications-in-modern-foreign-languages> and for comment <https://www.thes.com/news/gcse-languages-plan-could-lower-standards-expert-warns>

<sup>8</sup> See <https://appgmfl-gcse2021.weebly.com/uploads/2/6/3/4/26348628/appgmfl-gcsereview21.pdf>

<sup>9</sup> See [https://www.thebritishacademy.ac.uk/documents/2597/Towards-a-national-languages-strategy-July-2020\\_R0FHmzB.pdf](https://www.thebritishacademy.ac.uk/documents/2597/Towards-a-national-languages-strategy-July-2020_R0FHmzB.pdf)

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## Gardening IF

If you grow healthy toms when all about you  
Are losing theirs and furious with you  
If you can beat the slugs when all men doubt you  
And save your hostas, delphs and dahlias too;  
If you can weed and not be bored by weeding,  
Nor get depressed when bindweed reappears  
Nor fume to find vine weevils ate your fuchsias  
But grow another lot to feed next year's

If you can dream—and not be disappointed  
When all you dreamed turns out to be a mess;  
If you can think your garden could be Wisley  
Instead of some chaotic wilderness  
If you can meet with well-known gardening experts  
To find you're not alone without a clue  
If you can bear to hear your gardening question  
Provoking hoots of laughter aimed at you  
Or face the urn your mother gave you, broken,  
By bulging roots of cannas or of yew

If you can make one heap of all your compost  
And hurt your back when turning it again  
And nip your fingers with the secateurs  
Which you then drop, and lose amid the pain  
If all your pots dry out in summer heatwaves  
While you are soaked in rain on hols abroad  
Or your hydrangeas get baked brown in summer  
Then winter drowns your yuccas in wet mud  
If you can force your heart and nerve and sinew  
To hope plants live long after they are gone  
And keep the space where trilliums once grew  
In case they grow again before too long

If you can deal with mildew without swearing  
And preferably without a fungicide  
And suffer plagues of whitefly without caring  
Or wake up to find your precious acer died  
And grit your teeth, dig up the thing and bin it  
To find there's honey-fungus in the sod  
Yours is the earth and everything that's in it,  
For you've become a Gardener, by God!

(With apologies to Rudyard Kipling).

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## By a wild stream laughing

by a wild stream laughing we lay down  
among the ferns and celandine  
warm hearted from the rocky climb  
when we had talked of earnest things  
of books, and pies, and birds and wine  
carefully not mentioning  
the beauty of the morning skies  
the glory of the Spring—and I  
blushed slightly when I caught your eye  
you kindly spared my feelings then  
turning aside unpacked the sandwiches  
hoping they would do. And when  
we fell silent, your shy hand in mine  
by the laughing wild stream we lay down  
among the ferns and celandine  
the beauty of the morning skies  
the glory of the Spring.

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## Mot Juste

Things are that won't fit any word  
A poignant solitary bird  
Sings of the world under the moon  
How is it that we know the tune?  
Unfolding of a bud, demure,  
Into a bloom mature, pure  
And petal-perfect till the rain  
Stains brown and strikes to earth again  
The image vibrates in our sense—  
Subliminal experience

How poets have strived to small effect  
To patch the cracks of our neglect  
To penetrate our tender core  
We might prefer still to ignore  
The fundamentals of life and death  
Make the best of every breath  
The pains of former love forgot  
Or was it lust? It matters not  
We may think, better not addressed—  
The tenderest parts hurt more when pressed

Art and artifice are one  
One without the other's none  
Art the arching inspiration  
Artifice communication  
The poet shapes the words, designs  
The rhythmic structure of the lines  
The readers are the other part  
Responding with their mind and heart  
Except that at the end of it—  
Things are that any poem won't fit.

KEITH EVETTS

Keith Evetts: alumnus of Jesus College, Cambridge with boyhood links to Oxford, retired after living in eight countries, gardens and writes poetry in Surrey.

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# Lockdowns and Legitimacy

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ROGER TEICHMANN

FORMER Supreme Court judge Jonathan Sumption has recently expressed the view that a reasonable response to some of the laws passed in furtherance of the government's lockdown policy would be to ignore, i.e. disobey them.<sup>1</sup> This is because of what he regards as the despotic and unjust nature of those laws. There is an interesting question whether we owe obedience to bad laws passed by a legitimate government, and maybe the answer to that is 'It depends how bad they are'. In what follows I want to amplify Lord Sumption's claim by raising the issue of whether certain kinds of bad laws actually undermine the legitimacy and authority of government. That will still leave the question of what the best response to those laws is. But first, a little history.

As Sumption has pointed out, a pandemic caused by a new respiratory disease has topped the National Risk Register since 2008. The principles of any response were set out in a 2011 Department of Health strategy, which highlighted the need to shield the sick and the vulnerable (much as the authors of the Great Barrington Declaration subsequently proposed). Lockdowns were not on the agenda. Why then did the government ditch this long-prepared strategy in March 2020?

The key phrase of that time was 'overwhelming the NHS'. The prospect of people being turned away from full hospitals to die painful deaths was a grisly one. A national lockdown might then be regarded as an emergency measure, i.e. not as embodying a new policy towards pandemics. Over time, however, it emerged that the government had come to regard the imposition of lockdowns as a suitable response to the pandemic regardless of the capacity of the NHS.

To understand these developments it helps, I think, to look both at the *motives* of our rulers and also at the kinds of *justification* which they and their supporters felt they could rely on. In brief, I want to argue (A) that our rulers' primary motives have been the familiar ones of holding onto political power and (connectedly) retaining popularity and prestige – and (B) that the kinds of justification explicitly or implicitly in play have been utilitarian or consequentialist ones, albeit inconsistent and muddled. Each of these claims will be relevant to the issue of political legitimacy.

Ditching the prepared pandemic strategy didn't have to do with any epidemiological factors unforeseen by that strategy. Indeed, in 2017 the National Risk Register was envisaging much higher numbers of deaths than we have seen with Covid-19. The change was a change in outlook. Why *not* have national lockdowns, after all? It must have come as a surprise to the government how obedient people were in the face of the first national lockdown. A campaign of propaganda designed to instil both fear (of the disease) and prospective guilt (at infecting others) had been, and continued to be, remarkably effective. The justification available looked straightforward: the ills of lockdowns are less bad than the ills of having no lockdowns.

Here is where (B) becomes relevant. A consistent utilitarian would insist that to achieve a proper cost-benefit

analysis one must at least *try* to calculate the costs as well as the benefits, i.e. (in this case) the costs in terms of education, employment, business, human interaction, other health outcomes, etc. And it has been notable how little of such calculation has been offered to us. Part of the problem, of course, is that many of the ills in question are not quantifiable in the way that numbers of deaths or infections are. It's a well-known objection to utilitarianism that, by making out that deliberation requires calculation, the utilitarian is forced to ignore or misrepresent aspects of human life and experience which are evidently central to proper ethical deliberation. How might one *quantify* the evil of depriving a dying person of the company of their children and friends? (What units should one use?) But the dearth of public cost-benefit analysis from the government cannot be accounted for simply by reference to this defect in utilitarian thinking. Numerical predictions or forecasts (including 'worst case scenarios') of unemployment figures, excess deaths from cancer, etc., are after all possible.

One hypothesis is that the government is aiming at full compliance, and its agents reason that giving us a complex picture may detract from that compliance. That would itself be a utilitarian move: if it's desirable that as many people as possible do X, and this can only be achieved by being economical with the truth, then one should be economical with the truth (the argument goes). Perhaps the cost-benefit analyses I've referred to go on behind closed doors, e.g. at SAGE meetings – or, since the minutes of these have been made public, perhaps it would have to be during the unminuted portions of such meetings. I myself would say that the evidence that secret cost-benefit analyses are *not* going on is there in the lockdown policy itself. But policies aimed at 'achieving compliance' are in any case dubious, from both a utilitarian and a non-utilitarian point of view.

To illustrate this one can turn to the tradition of public health pronouncements in this country. Take alcohol consumption. Alcohol is a contributory factor as regards (some number of) road deaths, incidents of domestic violence, etc. If you can persuade people that alcohol consumption is as such dangerous, you can reduce those numbers. That fact explains the claim made in 2016 by Sally Davies, Chief Medical Officer for England and Chief Scientific Adviser at the Department of Health, that there is *no* safe amount of alcohol for a human being. The claim is preposterous: two molecules of ethyl alcohol pose no risk to the human body. (It'd be a fallacy to divide the risk from consuming some larger amount by *n* to get an estimate of risk for two molecules.) Sally Davies must have known this. She was merely following her utilitarian brief. However, given a fairly free press, the utilitarian case for lying in this way is far from watertight; Davies was duly accused of scaremongering, and it's possible that her pronouncements led to people ignoring public health advice generally.

Similar remarks must go for many of the pronouncements we have had about Covid-19. That the aim has, at least frequently, been 'compliance' is clear. In March



2020, the Scientific Pandemic Influenza Group advised the government that ‘the perceived level of personal threat needs to be increased among those who are complacent, using hard-hitting emotional messaging.’<sup>2</sup> You might be ‘complacent’ for the obvious reason, viz. that your risk of getting ill if infected is low (say, because you’re a twenty-year-old). So you need to be made to ‘perceive’ your risk as higher than it is. Again, it’s not so clear even from a utilitarian point of view that this is good policy.

There are other possible motives for aiming at public compliance than the motive of the Greater Good. One such motive is an ancient and very human one: it is the love of power over others, of getting large numbers of people to do your will. I detect a whiff of that from certain quarters in Westminster. But there is also the more mundane, though not unrelated, motive of staying in power. The dramatic surges in deaths from Covid-19 in the UK made bad headlines. Journalists take it as their job to throw indignant brickbats on such occasions. And if you impose a national lockdown you *do* suppress such a surge—in the short term. Short-termism in politics is a familiar phenomenon, and given that most of the costs of lockdowns are not immediately visible, a government has an incentive to disregard those costs, either as being for someone else to deal with or (‘if we get re-elected’) to be mitigated by public forgetfulness and/or the difficulty of definite diagnosis (= deniability). Come the next election, the PM will want to be able to point to the lowest possible death tally, and for that to be feasible a compliant population is needed *now*. This mindset explains Johnson’s otherwise pointless false statement of 14 April that it was lockdowns, not vaccinations, that were behind the notable reduction in deaths/infections.

The question, then, is: does the government’s general lockdown policy, including methods of producing compliance, indicate a genuine utilitarian aim of achieving the Greatest Good, or does it merely indicate a love of power and prestige? As I’ve said, the lack of any evident cost-benefit analysis detracts from the plausibility of the first option, as for that matter do the various displays of ‘on the hoof’ thinking. Meanwhile the plausibility of the second option gains from a consideration of the characters of the main players and of the current political ethos.

A depressing illustration of that ethos is provided by the Labour opposition. The opposition has been staunch in its support of government policy, confining its criticism to accusations along the lines of ‘too little, too late’. Why is this? Jonathan Sumption in interview speculated that it could be the result of the traditional left-wing attachment to state control as a means. Perhaps there is truth in that. But it’s also evident that the public has been largely in favour of lockdowns, and it would be foolish for a party desirous of winning an election to ignore such a fact. An objector might ask: how do I know that Keir Starmer himself isn’t genuinely in favour of lockdowns, for utilitarian reasons? Well, the same problem arises as it does for the government: there is no evidence of any real cost-benefit thinking coming from the Labour benches. So other motivations seem likelier. And if the opposition fails to subject government proposals to proper scrutiny, it fails in one of its main duties.

\* \* \*

I want to turn now to more fundamental issues of political legitimacy. The upshot of the argument will be that

if utilitarianism is *true*, we have no general duty to obey the laws, including lockdown laws, but should calculate for ourselves what to do—while if utilitarianism is *false*, the present government lacks legitimacy and authority, so that again we have no general duty to obey the laws, including lockdown laws, but should calculate for ourselves what to do.

If there is such a thing as legitimacy of government, then where a given group of people constitutes a legitimate government we can be said to owe obedience to the laws which they promulgate. It’s not merely that we owe it to ourselves to obey the laws, in the way we owe it to ourselves to obey the commands of burly men armed with handcuffs, Tasers and guns. Rather, we ought rationally to admit the weight of ‘Because that’s the law’ as a reason for doing something—not a reason that necessarily trumps all other reasons, but a reason. We need to have *good* reason to disobey a law promulgated by a legitimate government.

What renders a government legitimate? Many commentators would answer, ‘That it has been democratically elected’. A democratically elected government can of course pass laws that oppress some minority: the wishes of the majority may demand that it does so. Would a person belonging to such a minority have any reason at all to submit e.g. to enslavement and impoverishment simply because ‘that’s the law’? I would say not. This example points to what I take to be a preferable account of political legitimacy, one that requires of a government that its actions are carried out for the sake of the welfare of the citizens. The ‘citizens’ are those people, typically occupying a certain geographical area, whose welfare it is the government’s business, mainly for historical reasons, to look to and protect. And it is the citizens who primarily owe obedience to the government, given that it satisfies the requirement of looking after their welfare. To be sure, the best *means* of installing a good or legitimate government might be general elections—that would need arguing, but it is *prima facie* possible. Legitimacy itself, however, I take to consist in the manifest aims and policies of those in power.<sup>3</sup>

I don’t think that a consistent utilitarian can endorse this notion of political legitimacy. For a consistent utilitarian, *who* issues commands or wields force isn’t the question, the question is rather *what effects* any given commands and uses of force will or would have.<sup>4</sup> If obedience to Putin’s agents or the Mafia or Extinction Rebellion would in fact bring about the best results in the near/foreseeable future, then they’re no less ‘legitimate’ than any group of people in Westminster—more so, in fact, if ‘legitimacy’ is to have any moral clout. If this is right, the first option, above, follows: if utilitarianism is true, we have no general duty to obey the laws, but should calculate for ourselves what to do.

So is the present government legitimate from a non-utilitarian point of view? As I’ve argued, legitimacy consists in the manifest aim on the part of rulers to protect the welfare of all citizens. The main reason for saying that the present government lacks legitimacy lies in its willingness to use individuals and groups as means to various ends—to regard harm to the welfare of innocent people, however severe, merely as collateral damage. My own view is that the plans to build HS2 typify this willingness. Let us allow for the sake of argument that economic improvements, e.g. for those living in northern England, would likely accrue from the building of HS2. To build it, however, people

must be driven from their homes against their wills, and preferring your home to a financial sweetener is neither irrational nor obstructive, it is merely human. Another example is the government's justification for allowing the identities of people charged with certain crimes to be published, even if that may endanger them or their reputation – viz. that people might come forward with further evidence if they see a name. (This might even be evidence favourable to the suspect; but as for that, a suspect could surely be asked whether he *wished* to have his name published in the hope that friendly evidence be forthcoming.)<sup>5</sup> I am not saying that it is *never* okay to do things with the foreseeable consequence that innocent people will be harmed – only that a habitual disregard for harm done to innocent parties is a sign that the state is not fulfilling its function.

Two questions arise out of cases like these. First, do those at the receiving end owe obedience to the government? Second, do the rest of us?

I think the answer to the first question is negative, just as it would be if slavery were legal and the question were whether a slave owed it to the government (as well as to his or her master) not to abscond. We might put it this way: the social contract between rulers and ruled has been breached by the rulers. As to the second question, if *enough* treatment of citizens as means to ends goes on, then the government loses its legitimacy. It will then have roughly the status of a (relatively) beneficent Mafia. Reasons to abide by its laws will either be that they happen to embody good principles of behaviour or that one wishes to avoid retribution.

'Enough' is vague, but not so vague as to rule out the possibility of a definite answer in certain circumstances. That children and students have had their education and prospects blighted; that people have been forbidden from seeing friends and family, or leaving their houses 'without good reason'; that small businesses have had to close in their thousands; that people with violent partners or parents have been left to their fate... These are all innocent people whose welfare has been knowingly and severely damaged, without even a semblance of a proper cost-benefit analysis. I think the term 'enough' applies.

I am using the word 'innocent' to mean roughly 'threatening no harm'. The primary cases of non-innocence involve malice or recklessness, but for our purposes we can include those who threaten harm through no fault of their own. It's evidently okay to quarantine people coming off boats who are or could well be infected with some serious disease. But lockdowns target the whole population, the healthy together with the infected, young with old. They thus target the innocent in the fullest sense of that term.

Why do so many support the lockdowns, it might be asked? See above: propaganda is effective. And fear is a powerful emotion. (Think of the support given, especially and notoriously within the House of Commons, to Blair's decision to go to war in Iraq.) Death from Covid is horrible, but so is dying in a car accident. Shall we then ban vehicular transport? We won't, of course, because we're aware of the downside to lacking vehicular transport. If a supporter of the government's policy says they're similarly aware of the downside to having lockdowns, they should be prepared to give a fairly full resumé.

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So if I am to decide for myself what policy of behaviour to adopt during a pandemic like the present one, what policy shall I opt for?

One can ask both 'How is my behaviour likely to affect myself and others?' and 'What if everyone adopted this policy?' The answers to the first question will naturally vary greatly from case to case. As for the second question, a key issue is *how to delineate* a policy. Is the policy 'Decide for yourself'? That can't be the right specification; after all, if everyone successfully followed that policy there'd be mayhem, given that many lack practical wisdom and information, or are just bloody-minded. The same goes for 'Disobey a law if it seems to you unjust.' But compare: 'Disobey a law if it *is* unjust': if everyone successfully followed *that* policy, the results might be fine. Of course you have only your own judgement to use when deciding whether a law is unjust, but that's irrelevant. The instruction for such-and-such brand of car, 'Don't put diesel in the tank', will, if universally followed, mean that there are no mess-ups of a certain sort. The same is not true of 'Don't put what you think is diesel in the tank': everyone's successfully following *that* instruction will result in some mess-ups. 'Don't put diesel in the tank' is the instruction to follow, though of course you have only your own judgement whether some liquid is diesel.

If you're adopting Lord Sumption's advice and ignoring certain lockdown restrictions, it will be an interesting question how you should arrive at an answer to 'What if everyone adopted this policy?' It might in fact be that the best policy from the point of view of everyone's adopting it just is the policy of focusing on the question 'How is my behaviour likely to affect myself and others?' However, these are matters I haven't space to go into. As I've said, the main upshot of the argument of this essay is that (whether utilitarianism is correct or incorrect) we have no general duty to obey this government's laws, including especially its lockdown laws. Both laws and government partake too much of injustice to command our support. Jonathan Sumption is right.

<sup>1</sup> See e.g. [https://unherd.com/2021/03/lord-sumption-civil-disobedience-has-begun/?tl\\_inbound=1&tl\\_groups\[0\]=18743&tl\\_period\\_type=3&mc\\_cid=5db41d8498&mc\\_eid=129cb18e15](https://unherd.com/2021/03/lord-sumption-civil-disobedience-has-begun/?tl_inbound=1&tl_groups[0]=18743&tl_period_type=3&mc_cid=5db41d8498&mc_eid=129cb18e15).

<sup>2</sup> SPI-B (Scientific Pandemic Influenza Group) paper, 22 March 2020.

<sup>3</sup> This of course is a sketch of a philosophical account. More needs to be said about welfare, acting for the sake of welfare, justice, political stability, and other matters.

<sup>4</sup> I think, but haven't space to defend the thought, that this applies as much to 'rule utilitarians' as to 'act utilitarians'.

<sup>5</sup> In a response to a 2017 petition asking for anonymity for those accused of sexual offences until charged, the Home Office wrote: 'This approach recognises that there is a risk of unfair damage to the reputation of those persons, particularly if they are never charged. It strikes a balance between the rights of suspects to privacy and the need to prevent and investigate crime.' But the police are not, nor should they be, adjudicating between *parties' interests* when they publish a suspect's name. They are in fact using an innocent person as a means to a (no doubt laudable) end. The statement itself refers to *unfair* damage.

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# What COP26 Won't Do

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JONATHAN SINCLAIR-WILSON

WITH the climate COP in Glasgow less than six months away, optimism is building in many quarters that it could achieve significant progress, even a “breakthrough”, in addressing the challenge of climate change. Governments and companies in increasing numbers are making pledges and signalling commitments to tackling their greenhouse gas (GHG) emissions and auditing their climate performance—in themselves earnest of the optimism that the challenge can be addressed by those means, and addressed in time. But before allowing ourselves to get too high on expectations, it is sensible to ask what the limits to them should be, what the COP cannot or will not do.

## 1.5°C/2°C

The principal aim of the COP is to finalise the operational details of the Paris Agreement reached at the Conference of the Parties in Paris in 2015, the goal of which is to limit global warming to well below 2°, and preferably to 1.5° Celsius, compared with pre-industrial levels.

The first thing to say is that the COP won't achieve this. There are no means available to keep global warming to no more than 1.5°C and there is a vanishingly small—and vanishing—chance of keeping the warming to “well below” 2°C.

The reason is straightforward and relates to a core concept in climate science, that of “equilibrium climate sensitivity” (ECS). Climate sensitivity measures how the average global temperature responds to changes in the concentration of CO<sub>2</sub> in the atmosphere.<sup>1</sup> But it is the “equilibrium” which is the crucial component here, as it implies a time-lag between emissions with their accompanying rise in concentrations and the resulting rise in global temperature, mainly owing to the thermal inertia of the oceans.

There isn't a precise figure for the length of the lag, but it is sometimes put at roughly 30 years (and may continue incrementally for much longer)—a human generation but a geological blink. But however long the lag may be, it means that while concentrations continue to rise, we are living that far in the past, climatically speaking. Put crudely, a 30-year lag would mean the temperatures and climates we experience today are the result of concentrations reached around 1990, when CO<sub>2</sub> levels were around 355ppm, compared with the 280ppm pre-industrial level and 415ppm today. The average global temperature today is already 1.1°-1.2°C higher than the pre-industrial level. If this reflects the impact of the 75ppm increase up until 1990, then there would appear to be no chance at all that the additional 60ppm, already accumulated but yet to affect the temperature, will not push the increase past 1.5°C. In other words, we've already blown through that level; much as one might wait for a drug to take effect, we are simply waiting for the impacts of those later concentrations to be felt.

1.5°C, or more, is already “baked in” to today's atmosphere.<sup>2</sup> As to how much more, and whether the goal

of keeping global warming to “well below” 2°C is still achievable, there is a range of credible scientific views.<sup>3</sup> Dan Schrag, for example, a geologist at Harvard quoted by Elizabeth Kolbert in her recent book, *Under a White Sky*, estimates that the additional warming due to today's CO<sub>2</sub> level “could easily be another seventy percent beyond what we've experienced. So in that sense, we're already at 2°C”. “That's just basic physics”, as he puts it. But even if his view is too pessimistic and it is not already too late to keep the warming to below 2°C, it is clear that without unprecedentedly radical action, it very soon will be.

Having a goal that is already unattainable does not augur well for the conference. It would appear to be founded, if not on a lie, on a massive deception, or self-deception. But what of the means by which the goal is supposed to be achieved, bringing our emissions of GHGs down to a target we now know as “net zero”, to which increasing numbers of countries and companies are committing themselves?

## *That little word “net”*

“Net zero” does not appear in the Paris Agreement, but the concept is described in Article 4 as achieving “a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases”.<sup>4</sup> There are two sides to a net zero equation: emissions of GHGs and their sequestration or removal. This reflects the goal of the overarching international climate treaty, the UN Framework Convention on Climate Change (UNFCCC), as the “stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system”. It is the increasing concentrations of GHGs in the atmosphere that cause climate change and stabilizing them—achieving a balance—is critical, but it is not enough; we also have to achieve this before they go beyond a safe level, above which temperatures will reach dangerous levels and the climate system itself may no longer be stable.

Because it is the accumulated stock of GHGs in the atmosphere and not the flow of emissions into it that causes climate change, reductions in emissions are, strictly speaking, not even necessary to stabilize concentrations and achieve a balance. It would be enough if we could radically enhance the capacity of sinks to absorb the emissions we produce, but as this is not a practical option, the remaining and absolutely crucial alternative is dramatically to reduce our emissions. To do this, it is in turn essential that the world's economy makes a rapid and wholesale transition away from burning fossil fuels to reliance on renewable sources of energy.

As we approach the COP, however, many appear to have mistaken these *means* of addressing climate change—emissions reductions—for the *end*, of stabilizing concentrations at a safe level. From the pronouncements of government and international policy makers<sup>5</sup> and of business and industry as well as from the advocacy of cli-

mate activists and the general media, one might reasonably conclude that all that is required is to bring down our global emissions by making this energy transition and that once that has been accomplished all will be well. Industries like tech, or steel, will be able to rely on clean energy to go “green” and to deliver a new era of climate-neutral economic growth: “green growth”.

The difficulty with this often-touted aspiration is that it is oxymoronic, wishing to eat its cake and still to have it. For in imagining that emission reductions will be sufficient to get us to a net zero balance, it invariably overlooks the impact of that projected growth—the use of the tech, of the steel, and so forth, and the accompanying increase in consumption by an expanding global population—on the other side of the equation: the already imperilled oceans and degraded ecosystems that we depend on to absorb our continuing emissions. However successfully we reduce those emissions, if doing so and the economic activity this stimulates also reduce the capacity of the earth’s sinks, then an energy transition will not itself have brought us any closer to safety.

In short, what is overlooked is that every policy and measure to tackle climate change must be understood in relation to its effects on *both sides* of the net equation. What is needed is an adjustment of the lens through which we understand what is involved in climate policy: rather than presenting emission reductions as, in effect, the goal of the policy, we have to recognise that, while they are an absolutely essential means, they are neither the sole nor the sufficient means. Equally important is to ensure that the sinks we rely on are not further impaired by those very efforts (and, ideally, are enhanced). In practical terms, this would require all emission reduction proposals, whether from countries or non-state actors, to be framed as *net equations*, setting out not merely the reductions to be delivered, but also whether and how their delivery and their economic consequences will affect the absorptive capacity of relevant sinks. Only then could we hope to have an accurate assessment of the progress represented by any reductions achieved.

The likelihood that the COP will impose such a requirement on the Parties to the Agreement is non-existent, not least because there is no evidence to date that it is even recognised to be necessary. The climate actions to which the Parties are expected to commit themselves in their Nationally Determined Contributions (NDCs) are described as “efforts by each country to reduce national emissions and adapt to the impacts of climate change”. There is no requirement for countries to take into account the impacts and consequences of the “efforts” themselves, whether to reduce emissions or to adapt to climate impacts; that all the actions should be subject to net equations of their impacts on both emissions (sources) and on removals (sinks) is nowhere recognised. (Nor is there any recognition in the Agreement or any of the deliberations, e.g., in the piece above by Alok Sharma, that efforts to mitigate and to adapt to climate change may not always be compatible, that each may impede the other).

Unfortunately, it is not as easy to fulfil this requirement as it is to account simply for emissions and their reduction, as it is not yet possible to measure sequestrations of GHGs by natural sinks—the only ones yet available at any scale—with the same precision as emissions. Nor is it a matter simply of measuring the sequestrations (or emissions), as neither of these represents a stable state;

for, whether as gases in the atmosphere or as carbon in, say, tree fibres, they are both merely stages in a continuous carbon cycle (e.g. trees die and release carbon back to the atmosphere), and what we have to be able to measure are not only the quantities held in each stage but the rates of flow of carbon through those stages. Perhaps inevitably, and especially having in mind the mantra of being able to manage only what we can measure, the emphasis to date has been almost entirely on quantifying emissions and emission reductions. But the balance we have to achieve if we are to stabilize concentrations is one within a permanently dynamic system, and—the far-reaching implications of that little word “net”—only when we are able to calculate what is happening throughout the system will we be in a position to know that we have achieved it. To date, the focus has been almost entirely on quantifying emissions and emission reductions, but unless we can show with a comparable degree of accuracy what is happening on the other side of the net equation, the balance we seek and our net zero ambition may recede, like a mirage in a desert of our creation.

### *Net zero*

Net zero requires a permanent balance between emissions of GHGs and their sequestration or removal. Our emissions have for well over a century far exceeded the capacity of natural sinks, such as forests, soils, and oceans, to reabsorb them, and have risen continuously to their current level of almost 40Gt of CO<sub>2</sub> a year.<sup>6</sup> The imperative must be to reduce those emissions as fast and as far as possible. But it is acknowledged that even a comprehensive energy transition will not reduce our emissions to zero. An optimistic estimate of a 75% reduction from today’s global level would still leave roughly 10GT *p.a.* of CO<sub>2</sub> to be removed—the level of anthropogenic emissions in the mid-60s when concentrations were rising at just under 1ppm *p.a.*

So, even after granting all the hopes attached to an energy transition,<sup>7</sup> we have to ask what means may be available to cancel out that remaining level of emissions. To evaluate them, we need first to clarify an ambiguity in the description of the balance as “between anthropogenic emissions by sources and removals by sinks of greenhouse gases”. Does “anthropogenic” govern removals as well as emissions or just emissions? In other words, might removals by natural sinks rather than anthropogenic ones be allowed to count as balancing our residual emissions?

To put the question is immediately to see that introducing natural sinks into the net zero equation would be illicit. It is precisely because those sinks are unable to absorb our emissions that we are confronted by climate change, and to allow their capacity to be included would be either to discount the GHGs they have already naturally removed or (put differently) to count their removals twice, once as natural and once as of purely anthropogenic emissions. Clearly, to arrive at net zero, only anthropogenic removals can be allowed to balance out anthropogenic emissions.

What then are the anthropogenic means at our disposal to remove GHGs at least equivalent to those generated by the world’s economy in the 1960s, and to remove them year after year? Are they available at the necessary scale and do they represent temporary or permanent (or at least very long lived) storage of the carbon removed?

The most obvious answer is to plant trees. Trees (or maybe better still, forests) are as close as we can get to a one-word solution to a range of environmental problems, but whether they can deal with the quantity of residual emissions is questionable. The world has lost a great many trees under humankind's tenure, so there may be scope for substantial reforestation. But wherever planted, they would displace what is already there—so net equations relating to, among others, the impacts of the planting on biodiversity and livelihoods would also be needed—and the net climate benefit might be more marginal than was anticipated. Moreover, they can't go everywhere, many habitats will not support them, and some previous planting programmes have managed to be counter-productive.<sup>8</sup>

The principal reservations are more fundamental. However successfully planting programmes were scaled up, there is a finite amount of land available for them, whereas the amount of residual carbon to be absorbed is recurrent: optimistically, 10 Gt of CO<sub>2</sub> (or just under 3 Gt of carbon) every year. The scale of the undertaking would be immense and would rapidly reach the limits of the land available. Moreover, storage of carbon in plant fibres is only ever temporary—trees die—and a rolling programme of replacement planting to extend the storage would reduce the initial area available and the amount of carbon it could remove. It is a slender reed on which to rest our hopes of arresting the rise in atmospheric concentrations.

Along with other natural techniques for removing carbon, such as restoration of coastal and marine habitats, sequestration in soils, or creating biochar to add to soils, it may, however, be the best hope we have. As ever, deployment of these techniques requires a net equation of their climate impacts, and the sheer scale of what has to be undertaken, and undertaken not as a one-off but every year, cannot be over-estimated.

Alternatives to these natural methods, technologies such as carbon capture and storage (CCS), or its more recent iteration as bioenergy with CCS, or direct air capture, have been promising for years or even decades, and failing to deliver. Even before attempting to calculate the net equation of their climate impacts, the prospect of these anthropogenic removal technologies being able to deliver at the requisite scale year in, year out, is between remote and non-existent. In practice over the past couple of decades, these heralded technologies have served as a distraction, a feint even, promoted mainly by the oil and gas industries, that has arguably delayed concerted implementation of known and effective natural methods.<sup>9</sup>

It is not the job of the COP to evaluate the means by which countries propose to deliver on their NDCs, or their actual performance against those commitments. Those tasks are delegated to a five-yearly global stocktake of collective progress (starting in 2023) that allows for countries' "ambition" to be ratcheted up in subsequent NDCs. But it is abundantly clear that beyond the headline pronouncements by various countries of 50%, 60% and even 80% reductions in emissions (by dates ranging up to 2050), there are no adequate plans, beyond those that exist (where they do) for an energy transition, to find ways of cancelling out the very substantial emissions remaining on even the most optimistic projections.

## Carbon Markets

What Parties to the Agreement *are* putting their faith in are markets: carbon markets are seen as indispensable mechanisms for reducing global emissions and delivering an energy transition. However, the most contentious of the rules governing the operation of the Agreement, which could not be agreed at either COP24 or COP25, are those under Article 6 relating to how carbon markets and other forms of international cooperation are to work.

The outstanding disagreements are manifold, and both intricate and technical, and if they cannot be resolved there is the prospect of the Paris Agreement foundering. But there is also the prospect of the Agreement being undermined if they are resolved, depending on how that is done. For in addition to issues of how to eliminate double counting of emissions by Parties trading them, and whether to carry over credits from the Kyoto period that delivered no net climate benefit yet would allow countries to offset future emissions—both of which could severely impair the effectiveness of the Agreement—there is an overriding question of how to ensure that carbon markets deliver what the text refers to as "overall mitigation in global emissions", that is to say *actual* reductions in emissions, which markets to date have been remarkably poor at securing.

Without going in to the details of Article 6, much of that failure—with its corresponding danger of the mistakes being repeated in what is agreed at COP26—can be put down to a surprising confusion as to what count as reductions in the first place: when is a reduction a reduction? Simply stated, the markets have treated *avoided* emissions as though they amounted to a *reduction* in emissions; in other words, they have equated *not adding* emissions with *subtracting* them, an equation that perhaps only economists could convince themselves to accept.

In the voluntary carbon markets and the compliance markets under the Kyoto Protocol, particularly the Clean Development Mechanism (CDM), emissions that have not been added—by, for example, a coal-fired power station that was not built—have earned credits that have, supposedly, offset actual emissions elsewhere. The problem this presents is both with accurately calculating the hypothetical emissions that might otherwise have been added—measuring counterfactuals is not straightforward, to say the least (how might we check the measurements?)<sup>10</sup>—and with the fact that, in "earning" the offset, no actual reduction in emissions has occurred. The original emissions remain, and no corresponding reduction in emissions or removal of GHGs has occurred to offset them. This sophistry goes a long way towards explaining the failure of carbon markets so far to deliver any meaningful emission reductions and climate benefits. In fact, many if not most of the credits under the CDM were earned by Chinese concerns paid not to emit CFCs and HCFCs—gases used in aerosols and refrigeration and which are thousands of times more potent than CO<sub>2</sub>—credits allowing Western concerns to continue emitting CO<sub>2</sub> as they had been. If such spurious reductions are allowed in the future, it could doom the markets to ineffectiveness and us to the consequences.<sup>11</sup>

The auguries are not good. Mark Carney, as Finance Advisor to the UK government presiding over COP26 and therefore presumably with considerable influence over the direction of the negotiations over Article 6, re-

cently launched a Taskforce on Scaling Voluntary Carbon Markets with the aim of expanding those markets from a modest c.\$300m *p.a.* to at least \$100bn *p.a.* The terms of the Taskforce expressly allow “avoided emissions” to count as emission reductions—“not adding” to count as “subtracting”. As large swathes of industry, such as mining and all its downstream processors, would have little hope of reaching net zero targets at any foreseeable point in the future unless they are allowed to count hypothetical avoided emissions as reductions—and therefore to leave their current emission levels relatively unaffected—this is perhaps not surprising. But let us not kid ourselves that it will represent progress towards stabilising concentrations at a safe level. Quite the reverse. At their current size, those voluntary markets are managing to lay a few paving stones along the road to where we don’t want to end up, but if the Taskforce succeeds, it will be building a highway there.<sup>12</sup>

### *Anthropogenic emissions may not be enough*

We have seen that only anthropogenic removals (subtractions) should be allowed to count as balancing out anthropogenic emissions (additions). There is, however, an elision in the 1992 UNFCCC treaty as to what should count as anthropogenic emissions that may in time prove critical.

The treaty is not concerned with climate change as a purely natural process; it defines it as “a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere”, and emissions are defined simply as “the release of greenhouse gases”, in other words as attributable directly or indirectly to our activity. However, when it comes to the Commitments being made by the Parties in Article 4, these are limited to “anthropogenic emissions”. The limitation is nowhere explained and “anthropogenic” is not defined, but its meaning and why it is there are clear. It relates to emissions that are *directly* caused by human activity, and is there because the signatories would understandably only take responsibility for emissions directly resulting from activities within their territory and control.

What will not be discussed at the COP, however, is that in consequence, a large potential lacuna in the global governance of climate change exists: emissions, or the degradation of sinks, that are *indirectly* attributable to human activity do not fall within the practical scope of the treaty. There is no provision for tackling feedbacks, such as the release of methane from melting tundra, or melting ice caps, or drying forests, that result from warming which is itself directly caused by human activity.

It is understandable that states would not wish to be accountable for consequences, even ones on their own territory, resulting from activity beyond their control. But by the time—if ever—we manage to achieve net zero for our directly caused anthropogenic emissions, it is quite possible that the climate will have warmed so much that emissions from the feedbacks we have set in motion will continue to drive up the global temperature. The current treaty will have no means of addressing these consequences and the signatories will merely be bystanders to the calamity unfolding as a result, albeit indirect, of “dangerous anthropogenic interference with the climate system”. It is hardly surprising that an agreement among

sovereign states does not have the scope which would be required, for the reasons given; by the same token, it is difficult to foresee how, in such a wholly unprecedented predicament, an effective agreement to tackle planetary conditions that are everyone’s, and no-one’s, responsibility might be reached, though it looks ever more likely that one will be needed.

\* \* \*

Whatever the odds that the November COP will be proclaimed a success, any such success looks certain to be hollow. What the COP and those presiding over it won’t do is level with the rest of us—and perhaps even with themselves—as to the actual prognosis and the true scale of the challenge in addressing it. Instead, we will be offered the no doubt jubilant illusion that we are still in time to arrest it, along with the “illusions of the will” that there are both the means and the motivation of markets to do so. Illusions all-too-likely to encourage delay—a last game of bowls, a desire to be virtuous “but not yet”. We would be better served, and it might add impetus and focus to our efforts, to have it explained that while the world (not the planet) may be facing future disaster, we today may still (just) have time to avert catastrophe.<sup>13</sup>

<sup>1</sup> ECS is usually defined in terms of a doubling of CO<sub>2</sub> from the pre-industrial level, but that it arbitrary; the concept applies at any level to which concentrations rise.

<sup>2</sup> If we turn the lag round, we encounter what may be an intractable political conundrum. For it suggests that steps we take today will not show results for a generation or so. And even then, the results to be achieved are negatives, averting dangerous global warming and preventing harms that (we are required to accept) would otherwise have occurred. Propositions with which it can be difficult to motivate electorates.

<sup>3</sup> The Fifth Assessment Report of the IPCC claims, on the basis of scientific consensus, that the temperature increase resulting from a doubling of CO<sub>2</sub> (to 560ppm as against today’s level of c.415ppm) will be in the range of 1.5°C to 4.5°C. Some studies, however, have projected increases up to 8°C or even 10°C. The science on which the consensus is based may be the best available, but given the sheer complexity of the interconnections in the biosphere that it is grappling with, and that, as a consequence, our understanding of the past may not be a reliable guide to the future, there is surely a question as to the worth of scientific consensus in the face of potential threats of the magnitude represented by those numbers. Should we be relying on the uncertain and contentious calculations of ECS to determine our remaining budget of carbon emissions? Given what is agreed to be at stake, shouldn’t precaution be paramount?

<sup>4</sup> The text continues “in the second half of this century”, rather too relaxed a schedule in view of the warming we are already committed to.

<sup>5</sup> Including the President of the COP, Alok Sharma, <https://www.theguardian.com/commentisfree/2021/mar/18/climate-crisis-cop26-president-global-targets>

<sup>6</sup> Emissions of the other principal GHGs, methane and nitrous oxide, both much more potent than CO<sub>2</sub>, have also steadily risen. Concentrations of the former are 15% higher and of the latter 10% higher than in 1980. The level of CO<sub>2</sub> stands at around 415ppm, almost 50% above its pre-industrial level of 280ppm (with 75% of that increase in the last 60 years and 45% in the last 30 years—an accelerating trend), but if we add in the other GHGs, the CO<sub>2</sub> equivalent level (CO<sub>2</sub>e) stood at 500ppm in 2019 and is accelerating faster. Net zero will only be achieved if all the GHGs are included in calculating the balance required.

<sup>7</sup> Increasingly far-fetched as they are, with the US government explicitly acknowledging that half the reductions needed to get to net zero will be delivered by yet-to-be-invented technologies: <https://www.theguardian.com/environment/2021/may/16/half-of-emissions-cuts-will-come-from-future-tech-says-john-kerry>

<sup>8</sup> See, e.g. <https://theconversation.com/there-arent-enough-trees-in-the-world-to-offset-societys-carbon-emissions-and-there-never-will-be-158181>

<sup>9</sup> For a recent diatribe about the delusive promise of such technologies, and the very notion of aiming for net zero emissions that they help to support, arguing that they have encouraged a “burn now, bury later” approach to fossil fuels: <https://theconversation.com/climate-scientists-concept-of-net-zero-is-a-dangerous-trap-157368>

<sup>10</sup> The problems relating to counterfactuals extend beyond just avoided emissions, potentially to compromise all calculations of reductions, as these must be measured from an agreed baseline against what would otherwise have happened. Establishing the baseline and also that “all other things are equal”, as is needed to define a counterfactual, offers scope for questionable “measurements” and perverse incentives (e.g. can we know for sure that China’s current investment in coal-fired power is not in part motivated by the advantage of a higher baseline from which to “grandfather” future reductions?). The only genuine offsets which actually cancel out emissions (additions) are removals (subtractions) of equivalent amounts of GHGs from the atmosphere.

<sup>11</sup> The problems go deeper still. For any offset to be earned, it has to be established that the reduction earning it would not have occurred anyway. To establish that what happened as a result of payment for the associated carbon credits would not have happened anyway, that it was “additional”, the counterfactual of what would have happened in the absence of that payment has to be known. But every individual transaction involves the agency of those receiving the payment, whose behaviour has to have been changed as a result of receiving the payment if the requisite “additionality” criterion is to be met. Such a payment therefore operates as a bribe, inducing the agent to do what they would not otherwise have done, and only if the bribe is accepted are the carbon credits generated. In any context, it is difficult for others to know for sure what an agent’s intentions are (or were), and therefore to establish a counterfactual on the basis of those intentions. In this context, the standing availability of payments for carbon credits (bribes) is a standing inducement to solicit those payments (bribes) by, e.g., pretending not to be planning to take climate mitigating action until offered the available bribe to do so. So, the very availability of carbon credits may have an increasingly counterproductive effect, encouraging agents not to do what they know would be beneficial until they are bribed to.

<sup>12</sup> Disappointingly, the recently published “Oxford Principles for Net Zero Aligned Carbon Offsetting”, while recognising that the only ultimately acceptable offsets are removals and that reductions and avoided emissions are both compromised by relying on “measurements” of counterfactuals, accept that avoided emissions and reductions will have to be allowable offsets “for decades”. Augustine famously implored the Lord to make him chaste “but not yet”, but while there may be reasonable differences as to whether chastity is a virtue, there can be little dispute that counting hypothetical non-additions as actual subtractions is a scam.

<sup>13</sup> This is written not as a participant but as an observer of climate change policies and developments for the last 30 years, for 20 of which I ran the publisher, Earthscan. If the dismal picture it presents can be corrected by those closer to the action, I’ll be delighted, not to say relieved.

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## Miss Conception

Titian’s *Danaë* was lent by the Capodimonte Museum, Naples, to the National Gallery, Washington, DC, 1 July through 2 November 2014.

Reclined in ecstasy, you transcend myth,  
gazing skywards, receiving Zeus’s golden  
ducats raining down from rolling cloud, which  
detonates in delirious passion  
right above your head. You, Danaë, are all  
about conception—mind as well as flesh,  
for emotion, image, word together fall  
and merge as raw material enmeshed,  
one immaculate confection  
that speaks of art as well as what and when  
and how we come to be, creation  
forged of diverse things contingent on  
both accident and design. And that, you say,  
is the work of compulsion, desire, destiny.

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## The Paranoiac-Critical Method

A dream within a dream—the psychic  
vision bank of the *anima mundi*  
packed with myths of peoples long extinct,  
oneiric tales from the unconscious deeply  
concealed in energy paths from pagan hill sites,  
visions of the conflagration yet to come.  
These things speak through the rhythmic squeaks of mice  
beneath the floorboards or the random  
shadows cast by an open door; through patterns  
found in buzzing lamps, white noise, flashing neon—  
they determine every step that matters  
and are always right because it’s daemon-  
driven all the way, your personal advisor:  
so open your eyes, listen, and decipher.

DUNCAN WU

Duncan Wu is a former Fellow of St Catherine’s College and is now Raymond A. Wagner Professor of Literary Studies at Georgetown University, Washington, DC.

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## Anna Akhmatova at Headington House

About to cut the grass  
I saw through a window  
a photograph of you from 1925,  
Mandlestam's lithe gipsy suffering  
all the torments of Dante  
twenty years before Isaiah Berlin  
went to you in Leningrad,  
to a carpetless room  
at Fontanny Dom,  
candles not needed  
in the shadows of light,  
your voice a meteor  
soaring for decades,  
hidden not bidden,  
committed to memory  
darker deeper than Homer,  
Pushkin at your elbow  
breathing beyond life.

Did Pasternak understand what made you  
keep still when the shells were falling ...  
you knew but wouldn't say where  
the long walk took you, trailing away  
in a whisper at the end, the ghost voice  
of survival your necessary choice.

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## A cloak of brilliant blue (remembering Anne Ridler)

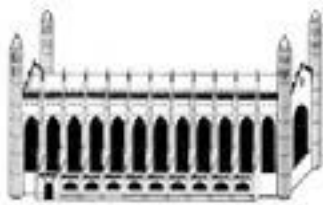
You used to turn up at Oxford Poetry  
in a cloak of brilliant blue –azure,  
I guess, or maybe Yeats' lapis lazuli.  
Not far away Cranmer, your favoured  
Martyr, burnt in defiance at the stake,  
“this unworthy right hand” his final  
inflamed debate.

Always you listened and tempered  
your praise with suggestions for change:  
beginnings could be endings, a dream  
a Bach Passion sung in Michaelmas Term.  
“Write every day”, you advised,  
“and throw nothing away”.

From time and the river we now have  
your *Collected*, so shall continue  
to hear the sea in the shadows,  
continue to see you in Oxford and Wales,  
a cutter of words, a trimmer of sails,  
brilliant blue, azure, lapis lazuli,  
bespoke as true tales.

BRUCE ROSS SMITH

Bruce Ross-Smith is a Vancouver Island born Oxford based retired lecturer who for decades has lived with his wife and children on the slopes of Headington Hill. He posts poems regularly on the St Edmund Hall Writers' Forum and his recollections of Sir Edward Evans-Pritchard will be published in the collection *A Touch of Genius*.



## *Notes from Cambridge*

### The still-unresolved problems of casualisation

Cambridge's proposal to create a 'career path' for holders of teaching-only academic posts announced in the *Reporter* of 24 March has moved forward at unusual speed since I wrote about it in Noughth Week (*Oxford Magazine*, No.431, 0th Week, TT 2021). Teaching-only posts for language teachers had first been mooted in 2014 although they had not had sufficient champions pressing to take them urgently forward until the spring of 2021.

The revised and more ambitious proposal clearly now had a following wind. The *Reporter* of 12 May published the Council's Notice in response to the remarks made in the first available Discussion on 20 April.<sup>1</sup> The Notice welcomed the 'numerous statements of support' for the plan, not only from the 'teaching-focussed staff' (now

to be described as "teaching and scholarship" positions) who would benefit personally but also from 'senior academic colleagues' then listed. The Council had accordingly submitted the Grace necessary for the Regent House to approve the proposed changes. The Grace came into force on Friday 21 May.

The February 2021 *Minutes* of the Human Resources Committee help to explain the hurry, noting as they do that 'any delay would mean that teaching-focused staff affected risked being left further behind when the new academic titles were introduced on 1 October 2021'. Reconsidering their situation had fallen 'behind' during the introduction of these 'new titles' during the period from March 2020. These delays occurred while the University's governance was suspended during the Covid-19 pandemic in favour of the University's Emergency Management Plan<sup>2</sup> and while the normal rhythm of Report, Discussion, Notice and Grace was disturbed.



## Cambridge's academic career problem

The reforming of academic titles was itself a bolt-on to a reform of career development structures ('Academic Career Pathway'). That had gone through a contentious development over several years, driven by continuing discontent with the often-revised Senior Academic Promotions scheme. The *Report of the General Board on arrangements for the implementation of the academic career pathways scheme* was published on 15 May, 2019,<sup>3</sup> containing very detailed descriptions of the way the cases for Senior Lectureships, Readerships and Professorships were to be evaluated. In June 2019 The Council deferred its implementation to 2020-21 (and the Recommendations were Graced on that understanding).<sup>4</sup> On 18 March 2020 a *Joint Report of the Council and the General Board on the titles and structure of academic offices* introduced a new strand to these changes, though citing earlier consultation.<sup>5</sup> This now finally proposed three academic titles, Professor (Grade 11), Associate Professor (Grades 9-10) and Assistant Professor (probationers). The historic title of Reader would disappear into that of Professor at Grade 11. These new academic titles are Cambridge's counterpart of the decisions Oxford took a number of years earlier to move from 'Lecturer' to 'Associate Professor' for its academic staff.

Because the governance of the University was suspended during the pandemic it was not possible to hold a Discussion of the *Joint Report* until 9 June 2020, when remarks (to be deemed to have been made at it) were accepted by email. Regular publication of the *Reporter* continued to be suspended so a Notice in response did not appear until 29 July, in the same round-up issue as the record of the Discussion of 9 June was published, and also the Grace seeking approval of the changes.<sup>6</sup> A ballot followed in Michaelmas, with the new titles announced as approved on 9 December. This was the reason that the actual implementation of the new titles would only come in from October 2021.

## Cambridge 'offices' and the 'unestablished' academics

The Academic Career Pathway and the 'titles' change had both been predicated upon the continuing centrality of the notion of 'University Office' in the Cambridge system. These Offices remain the mainstream posts, carrying the security and the privileges of 'establishment'. They include holders of academic University Teaching Offices (which are all teaching-and-research posts under Statute C, 4) and also those senior administrators, such as Assistant Registrars, who are designated as University Officers. College academic posts remain quite separate. It was noted by the Council in its 29 July Notice on the 'titles' changes that 'this *Report* concerns academic offices in the University; it will be for Colleges to decide, individually or collectively, whether to change the title of College Teaching Officer in response to this *Report's* recommendations'.<sup>7</sup>

So fundamental remains this distinction between the University's 'established' and 'unestablished' academics that the February 2021 Human Resources Minute quoted above also noted that 'progress with the proposal' to create 'teaching-only' academics had been touched on. Progress had been:

*'held up by the need to agree on different job titles for established and unestablished staff. Schools [= Divisions] were currently being consulted on the proposed titles'.*

That would be necessary because other 'categories of staff' than the established academics would not 'fall under the current Academic Career Pathway' or be entitled to the new titles. The proposal to create a 'Career Pathway' for 'teaching-only' academics represents an unsuccessful attempt to deal with this difficulty. Some will hold offices, but some will remain unestablished. The Office-holders will become Teaching Professors, Associate Teaching Professors and Assistant Teaching Professors. Below them will be non-office-holders, grades 6-8, as Senior Teaching Associate or Teaching Associate.

When Cambridge's Academic Career Pathway was finalised in a Report in May 2019, it said that:

*'the new ACP scheme is driven by the need to provide structured routes to career progression for both academic and professional staff, in line with the University's People Strategy and the our-cambridge programme. It also advances the University's priorities to value colleagues and be inclusive.'*<sup>8</sup>

Cambridge's Human Resources have a People Action Plan (though you will not be able to read it on the open web).<sup>9</sup> Among other things it seeks to 'contribute to the personal and professional development of staff' and 'reward, recognise, motivate and retain outstanding staff at all levels'.

The Academic Career Pathway itself had nothing to say to address the problem that there could be no such 'pathway' for those colleagues still 'unvalued' because unestablished, including those on an uncertain succession of externally-funded research contracts. These form a very considerable proportion of Cambridge's unestablished academic staff. A note in the *Reporter* of 24 March gives figures of 1,886 established academic staff and 1773 for research-only contract staff. There were additionally 877 in Professional Services.<sup>10</sup> The UK-wide '*Concordat to Support the Career Development of Researchers*'<sup>11</sup> reached a revised form in September 2019, but Cambridge had still not addressed itself to the implications of the version of 2008, let alone the new one. Despite all these developments contract researchers are left in 'unestablished' uncertainty.

The Report of 24 March on *The introduction of an academic (teaching and scholarship) career path* had 'recognised that the question as to whether academic (teaching and scholarship) posts should be established as offices or not is complex' and it left things undecided:

*'It may be appropriate for some staff at Grade 9 and above to hold offices to provide parity with academic (research and teaching) posts, and particularly where the individual's current post is already established. Other staff will be employed on an 'unestablished' basis where there are justifiable operational reasons to do so.'*<sup>12</sup>

The Human Resources Committee Minute mentioned above saw the problem but thought it could be differently addressed for different subject-areas:

*'an unintentional effect of the new pathway might be a bifurcation of teaching and research, creating more research-only and*

*teaching-only posts. This would need to be monitored at School level and revisited by the Committee if it became a problem;*<sup>7</sup>

The problem of how to tidy up the disadvantages of its ‘unestablished’ academics has been neglected by Cambridge while their numbers have grown. It is not as though it has not been warned. In the Discussion of the Report proposing a ‘teaching-only’ career path the Chair of the Board of Scrutiny raised ‘concerns expressed previously by the Board of Scrutiny about the “growing practice” of filling posts on an unestablished basis’.

This had been the subject of extensive comment in the Board’s *Twenty-Third Report*,<sup>13</sup> beginning with an explanation of the difference between established and unestablished posts:

*‘Established offices, both academic and academic-related, are regulated by Statutes and Ordinances, confer membership of the Regent House and its associated entitlements (only some unestablished posts offer this), and provide certain employment protection, particularly against redundancy. Approval to create or fill an established office must be sought from the RMC on behalf of the Council or General Board, or in the case of creating a new Professorship, by means of a Report to the University, but by contrast, since 2014–15 Heads of Schools have had delegated authority to create and fill unestablished, Chest-funded academic and academic-related posts.’*

Statistics for 2013–2018 showed an increase in unestablished posts and the criteria for making such appointments ‘not readily available’, nor was there ‘any identification of this trend in the People Strategy – Action Plan (2016–21)’. The Board of Scrutiny’s Recommendation was that:

*‘As part of the further development of the People Strategy the Council should clarify the policy – and criteria – for the creation and filling of unestablished posts.’*

The Board added the warning that ‘if this trend continues, it will have constitutional implications for the Regent House’.

\* \* \*

What then are the possible constitutional implications? The ‘unestablished’ staff members lack not only the job-security of a reasonable hope of continuing to the retirement age (still fixed under Cambridge’s EJRA), but also the employment protection of their academic freedom enjoyed by holders of the traditional teaching-and-research ‘University Teaching Offices’ which are ‘established’. Administrators in posts senior enough to make them University Officers and therefore ‘established’ also enjoy the protection of any ‘academic freedom’ they may find they need.

Under the newly agreed scheme an established (‘research and teaching’) academic can opt to move to one of the new ‘teaching and scholarship’ posts. The Council Notice of May 12 defending the ‘teaching-only’ proposals stuck to the contention that ‘there may be good reasons of business efficiency for needing on occasion to appoint to unestablished academic teaching and scholarship roles’. But what if pressures are put on academics (perhaps on grounds of failure to secure sufficient research grant funding) to move over to the new status? In apparent answer to this possible concern Council promised to ‘look at par-

ity of protection between established and unestablished academics in the context of the measures proposed to implement the suggestions in the White Paper’ of February 2021 on *Higher education: free speech and academic freedom* (CP 394).<sup>14</sup> The White Paper’s actual ‘suggestions’ loosely address the difficulty that the protections of Education Reform Act 1988 s. 202–3 do not necessarily apply to all academics. They include the duty:

*‘to ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at their institutions.’*

Even though this wording is incorporated in the University’s Statutes (as it is in Oxford’s Statute XII), it is formally applied in Cambridge only to holders of University Officers, the holders of established posts (Statute C, I, 3). Unestablished academic and research staff in Cambridge enjoy only the inferior employment protections provided for them on the HR website.<sup>15</sup>

The implications of this failure to address what is essentially Cambridge’s ‘casualisation’ problem go far wider as the Board of Scrutiny fear. Unlike Oxford (*Gazette*, 13 May), Cambridge has not announced any planned arrangements for returning to normal governance. Among the thirteen ‘projects’ announced for the Crimson Taskforce’s Recovery Plan, still under the Emergency Management Plan, is ‘helping staff thrive now and in the future’<sup>16</sup> but there still appears to be no scheme intended to improve the situation of the established staff’. Missing so far has been any detailed attempt to match the drafting of the rigorous and detailed requirements allowing Officers to progress along the ACP pathway.

It seems that constitutionally as well as in relation to its treatment of its unestablished ‘casual’ employees the University of Cambridge still has some hard rethinking to do.

G.R. EVANS

<sup>1</sup> <https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6616/6616.pdf#page=2>

<sup>2</sup> <https://www.governanceandcompliance.admin.cam.ac.uk/audit-regulatory-compliance/emergency-planning/university-emergency-management-plan>

<sup>3</sup> <https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6547/section4.shtml#heading2-20>

<sup>4</sup> [admin.cam.ac.uk/reporter/2018-19/weekly/6551/section1.shtml#heading2-7](https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6551/section1.shtml#heading2-7)

<sup>5</sup> <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6582/section5.shtml#heading2-12>

<sup>6</sup> <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6587/section1.shtml#heading2-5>

<sup>7</sup> <https://www.admin.cam.ac.uk/reporter/2019-20/weekly/6587/section1.shtml#heading2-5>

<sup>8</sup> <https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6547/section4.shtml>

<sup>9</sup> <https://www.br.admin.cam.ac.uk/people-strategy/people-action-plan>

<sup>10</sup> <https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6612/6612.pdf#page=11>

<sup>11</sup> <https://www.vitae.ac.uk/policy/concordat>

<sup>12</sup> <https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6612/612.pdf#page=13>

<sup>13</sup> <https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6521/section6.shtml#heading2-11>

<sup>14</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/961537/Higher\\_education\\_free\\_speech\\_and\\_academic\\_freedom\\_web\\_version\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/961537/Higher_education_free_speech_and_academic_freedom_web_version_.pdf)

<sup>15</sup> <https://www.hr.admin.cam.ac.uk/policies-procedures/disciplinary-action-grievances-and-appeals-0/disciplinary-grievances-and-appeals>

<sup>16</sup> <https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6612/6612.pdf#page=4>

<sup>17</sup> The issues surrounding the reforming of titles are inseparable from another burning question in Cambridge: who should be and should not be entitled to membership of Regent House. The broader concern then is the risk to the fundamental justification for the existence of the Regent House as the University's governing body. An invitation was published in the *Reporter* of 4 March<sup>18</sup> to discuss on 23 March a *Consultation on proposals for membership of the Regent House*. Cambridge's Special Ordinance A (i) explains that certain specifically listed University Officers, together with Heads of House, other University Officers and Fellows of Colleges are entitled to membership of the Regent House. Recently added have been 'such other persons holding appointments in the University or a College in such categories and subject to such qualifying periods of service as shall be determined from time to time by Ordinance'.<sup>19</sup> These include the more senior of the 'unestablished' mainly research contract academics, with a requirement that they have been in qualifying posts for three years. Some speakers in the Discussion urged

the throwing wide of the University's arms in the matter of membership of the Regent House, to include all the University's employees.

A Council *Notice* in response to the Discussion of the Cambridge consultation on membership of the Regent House (*Reporter*, 28 April, 2021) proposed a speedy change of Ordinance to allow 'University and College employees who are not otherwise eligible' to speak in Discussions. That was successfully Graced on 7 May 2021, greatly widening the categories able to make speeches though not widening the franchise. The whole question of the right to voting membership of the Regent House is the subject of a major and continuing review, in the course of which this broadening could be countered by a decision to remove the research contract academics once more, on the grounds that their numbers are disproportionate to those of University Teaching Officers and their votes could consequently unbalance the outcomes of ballots, especially to the disadvantage of the humanities. It was commented by the Chair of the Governance Review Working Group which explored the statistics that the Group had been:

*'concerned to retain a strong voice for established academic faculty and to avoid a significant adverse movement in the balance of arts and humanities versus science and technology. 36% of our academic staff are within the two of our six Schools which focus on arts and humanities, but only 11% of Grade 7/8 research staff. Inclusion of such staff necessarily reduces the overall representation of 'the arts' regardless of other factors and the more research staff included, the greater the science dominance.'*

<sup>18</sup> [https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6609/6609\\_public.pdf#page=3](https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6609/6609_public.pdf#page=3)

<sup>19</sup> *Ordinances*, p.104 give details of members under Special Ordinance A,1 (f)/

<sup>20</sup> [https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6613/6613\\_public.pdf#page=9](https://www.admin.cam.ac.uk/reporter/2020-21/weekly/6613/6613_public.pdf#page=9)

## REVIEWS

### Utopian universities – but for whom?

*Utopian Universities—a global history of the new campuses of the 1960s*, Jill Pellew and Miles Taylor (eds) (2021) London: Bloomsbury.



The universities that were established in the 1960s are highly-visible among the legacies of the political, economic and social thinking of the mid-twentieth century. The seven 'plateglass' universities<sup>1</sup> that were purpose-built in England, each on a large greenfield site on the outskirts of a regional city, became a model that was adapted, and then adopted, in many parts of the English-speaking world. Their founders had the freedom to start from scratch, considering fundamental questions about the nature and purpose of higher education, before determining the implications of these for the size and shape of a contemporary university.

In *Utopian Universities* we see how individual academic bodies, working within

loose guidelines from the organisations and governments that were enabling these developments, answered those questions, and what this meant for the physical and organisational structures that were created. In England, some, such as the University of East Anglia, sought to mirror what both academe and policy-makers identified as the growing significance of interdisciplinary collaboration through the creation of large Schools, rather than single-subject Departments, while others, such as the University of York, designed interdisciplinarity into the curriculum, without moving to new organisational models.

To many in the sector today the model under which these universities were set up, with the distribution of public funding to autonomous institutions determined only by broad considerations of national needs (such as a shortage of scientists and geographic distribution), in response to the growing demand created in part by the post-war baby boom, may well sound like utopia. However, as Christopher Newfield's reflective interview with Clark Kerr, the highly influential shaper of the California Master Plan for Higher Education and

ultimately President of the University of California, acknowledges, it could also create environments in which individuals were able to promote and pursue their own interests with little consideration of the wider university with which, like it or not, they had a symbiotic relationship.

This individualistic approach could constrain, rather than foster, fruitful collaborations and new ways of researching and teaching that were starting to emerge within the sector. Indeed, the very nature of a campus university<sup>2</sup> was quickly seen to discourage collaborations and integration with local residents, businesses and public bodies. This 'town and gown' distinction—much as several of the new institutions tried to court 'town' involvement through cultural links—was soon reinforced by student protests and activism—something that became a feature of many campuses in the 1960s.

In contrast, the approach taken in parts of mainland Europe during the same period was to expand existing universities, on the basis that this would replicate their perceived success at scale. While this was potentially a less risky approach, it came

with physical and organisational constraints, that reduced the opportunities for re-thinking disciplines and the governance that would best support contemporary priorities in teaching and research.

While Europe was emerging from the privations of the post-war period, further afield new nations were emerging from their colonial pasts, and creating universities to reflect their own interests and needs. In chapters on institutions across the Commonwealth and in North America a number of different approaches that were taken to this challenge, from India and Australia to Canada, are described. A common theme is one of early discussion about curriculum and the extent to which this should reflect local and regional history and scholarship, rather than replicating the syllabus of universities in an erstwhile colonising country. Were Cassandra on hand, no doubt she would recommend that the many groups now considering 'de-colonising the curriculum' within UK higher education, consult this book to see how this was tackled by the colonised over half a century ago.

The case study format gave editors Jill Pellew and Miles Taylor, opportunities to commission insiders' views of decision-making processes during the creation of a new university. As the list of well-informed contributors<sup>3</sup> demonstrates, they used this to the full, giving a wide and varied picture of higher education in the 1960s. With only a short afterword by Peter Mandler however, the richness and context of the material this generated, with its potential for analysis across systems and countries, is yet to be explored fully.

It would, for example, have been interesting to read a more detailed consideration of the extent to which this expansion of higher education broadened participation. In the UK at least, the 'rite of passage'—going away from home to fee-free university for three years, with the support of a grant—remained an aspiration and potential achievement for 1960s undergraduates from much the same parts of society and schools as their forebears. And while the proportion of women in each cohort gradually began to grow, it took three decades before they caught up with their male counterparts. The position is however less clear in other national systems represented in this book, each with their own legacy of funding and student recruitment profiles, so discussion of this, and perhaps other key subjects, would bear more thematic comparison.

With so much valuable first-hand insight, this book will undoubtedly serve as a useful reference on the ways in which different countries and their academics responded to the challenge of creating universities for the mid twentieth century, and as a starting point for those looking to take a more comparative approach to this period in higher education. But it leaves me wondering whose utopia is referred to in its title. It is very clear that academics revelled

in the opportunity to take their disciplines forward, outside the conventions and hierarchies of longer-standing institutions that were steeped in tradition, but it is not clear that the, often protesting, students felt the same way about their campus-based existence and education.

HELEN CARASSO

<sup>1</sup> This term was coined by Michael Beloff, as the title for his 1968 review of the then new UK universities, *The Plateglass Universities* (London: Secker & Warburg).

<sup>2</sup> Edge-of-town campus locations were an almost inevitable consequence of the University Grants Committee's stipulation that only proposals with sites of at least 200 acres would be considered for funding—see University Grants Committee (1963), p94, para267, *University Development 1957-62* cmd2267 London: HMSO.

<sup>3</sup> Not least among these are the editors themselves, both of whom spent some of the childhoods on campus, where their fathers were early leaders of 'new' universities.

*Jill Pellew's article (Oxford Magazine, No. 429, 5th Week, HT 2021) covers Oxford involvement in the new universities of the 1960s—eds*

## Progress from the Grass Roots

Eliot Higgins, *We are Bellingcat* (Bloomsbury Publishing, 2021).



Towards the end of this exhilarating book—from the British publishers of Harry Potter, and subtitled "An Intelligence Agency for the People"—we find Eliot Higgins using the term "cutting-edge" to describe not his personal achievements, but the investigative techniques which Bellingcat has developed and which it is now pursuing jointly with three other organisations at an "innovation lab" in Berlin. He could equally well have called them "path-breaking", or even "state-of-the-art". The refreshing thing for a contemporary Oxford reader is to learn about a milieu where such expressions are truly applicable, and not merely self-congratulatory claptrap as from the upper reaches of Wellington Square.

The innovation, moreover, carries a reassuring message for a creative Oxford figure who has expressed anxiety about the social impact of his own contribution. Tim Berners-Lee, instigator of the World Wide Web, told *Vanity Fair* a couple of years ago that he was alarmed at the exploitation of the web for disseminating fake news, conducting mass surveillance and other Orwellian purposes, and that he planned corrective measures. Bellingcat are—or is—way ahead of him. Their accomplishments demonstrate

that, against a combination of unremitting effort, occasional touches of ingenuity and, above all, solid ethical principles concerning factual truth and humanity, the wicked have nowhere to hide.

It has not been achieved overnight. After dropping out of higher education in the late twentieth century, Eliot Higgins took a series of vacuous office jobs ("bullshit jobs", as the late lamented David Graeber would call them) that left him with time on his hands and drove him, not to drink, but to online video games, which he played "with obsessive devotion, organising large groups of players spread across various countries"—his baptism of IT networks. In late 2001, following the attacks of 9/11, his obsession shifted to current affairs, and to the gradual dawning that conventional journalism was liable to be superceded by sources of information available through the web and social media—superceded, that is to say, in terms not of speed, but of reliability and veracity. Fast forward another decade—during which time Higgins accustomed himself to monitoring vast amounts of internet material, and using this in turn to blog or post messages, and thence to interact with like-minded individuals. In 2011 a series of critical happenings abruptly highlighted the scope for such private networks to function as objective investigators of important events, sometimes in alliance with a journalist or two but certainly not subordinate to them.

At one end of the scale was the so-called Arab Spring—the cascade of uprisings in states of the Middle East from Libya to Bahrain—and its sequel, particularly the conflicts in Syria which continue to this day. At the other end was something basically parochial, but significant in exposing misconduct and corruption within the news industry itself. This was the so-called phone-hacking scandal which engulfed in particular Rupert Murdoch's press empire, the critical revelations coming from belated exposure of journalists having tapped into the mobile phone of Milly Dowler, a school-girl murdered by a serial killer almost ten years previously.

Higgins uses the term "Counterfactual Community" to refer to all those who seek, for whatever reason, to spread untruths through assertion, repetition and playing to prejudice, no matter how extravagant the claims in question. An essential aspect of his operation is to counter the counterfactuals, not by drowning them out (impossible!), but by painstaking establishment of the facts. Where and when did weapons of this type originate? Where and at what time of day was this piece of film made? How does it relate to other items bearing on the same hypothesis or incident? Key emphasis is placed upon open sources, i.e. those accessible to anybody and not simply to a privileged few with "exclusive" contacts. Important among such open sources are Google maps, and especially "Google Earth, which patches together satellite im-

ages and aerial photos into a model of the globe, allowing the user to zoom into any area, tilting whole cities up and down, left and right, [as well as] to the perspective of someone on the ground, viewing the landscape head-on."

Higgins cut his teeth on such material in the Libyan civil strife during 2011, when he was able to identify which belligerent parties were occupying which sections of an urban settlement on the Mediterranean coast. Two years later he and colleagues supplied chapter and verse regarding Bashar al-Assad's use of Russian artillery rockets to attack rebel-occupied suburbs of Damascus with chemical weapons. In July 2014 Bellingcat was formally established as a charitable foundation in the Netherlands—its name signalling its mission as per the old fable: to save the mice (and other small creatures) by putting a bell on the cat. That was just days before Malaysian Airlines Flight MH17, carrying, ironically, mainly Dutch citizens from Amsterdam to Kuala Lumpur, crashed in territory controlled by Russian separatists in eastern Ukraine.

It became clear at once that the aircraft had been shot down, doubtless in the mistaken belief that it was military, but still maliciously. After four months Bellingcat, reinforced by a handful of important new contributors from several countries including Russia, reported in November 2014 not merely that the weapon in question was a Russian "Buk" surface-to-air missile, but also the precise route and timing by which the missile had reached local insurgents from an identified Russian military unit (the 53rd anti-Aircraft Missile Brigade). The responsible higher chain of command—with names and photos, up to and through the Russian Defence Ministry to President Putin himself—took Bellingcat some time to complete, and was only published in February 2016; along the way, however, an interim report in May 2015 demolished "evidence" devised by Russian authorities that Ukrainian forces (rather than Russian insurgents) had fired the missile. Not until September 2016 did the official multi-country Joint Investigation Team endorse (with some additional supporting material) the findings announced by Bellingcat almost two years earlier.

In 2018 public awareness of Bellingcat's capacities was enhanced, especially in Britain, by its major role in uncovering the real names and *curricula vitae* of the two 'Novichok' poisoners in Salisbury—extensively detailed in the book's penultimate chapter. A final chapter (referred to in the opening paragraph above) puts the story into its broad historical context of extending the reach of justice to embrace human rights violations and atrocities, a topic dating back specifically to the Nuremberg Trials after World War II and interacting since then with advances in technologies of record-keeping and of communication.

A significant nine-page section surveys

"The Perils and Opportunities of Artificial Intelligence". This is of special interest to Oxford University, where the ruling clique, somewhat behind the game, has decreed that "Ethics in AI" is to be studied in the future within a superfluous tower block costing a few hundred million dollars—an abuse not of human rights but certainly of University resources.

The relevant educational effort needs, in fact, to start a lot earlier. When everybody, young and old, lives by their laptops and their i-phones, "verification...ought to be among the basic skills of the twenty-first century.... Those who never pursue the discipline themselves will realise what is possible and will know to expect verification from their information sources." Nor is it pertinent only to large-scale issues of war and peace, or criminality. The quality of communities, and of day-to-day existence, could be major beneficiaries. As Eliot Higgins puts it, "Citizens' projects sound less impressive than war coverage, but they could have an international impact. Each such inquiry—whether documenting a health hazard, or chronicling wildlife migration, or exposing environmental degradation—could inspire others elsewhere. From this, you could see an international community of engaged citizens, with investigations in one location replicated in others." To discern the boundaries between promising initiatives and pointless fantasy is not easy. Plainly, however, there are infinitely more forward-looking objectives for the curriculum than mere decolonisation.

PETER OPPENHEIMER

## Stunning!

*Pre-Raphaelites: Drawings and Watercolours.* The Ashmolean Museum.



Long-term visitors to the Ashmolean will be familiar with the magnificent collection of Pre-Raphaelite paintings, but many will be unaware of the drawings and watercolours not generally on view. Now there is a chance to see a selection of them, curated by Christiana Payne, supplemented by one or two from outside. The public at large perhaps thinks of Pre-Raphaelitism as producing predominantly oil paintings, but the preparation for such works was drawing and water-colour, in which it is easier to achieve the effects of brilliance and precision so valued by Quattrocento artists. It's nice to see the first dawnings of Hunt's *The Light of the World* on the back of an envelope.

There is an excellent accompanying catalogue with essays by Fiona Mann and Robert Wilkes and an introduction by Christiana Payne. Some of the works relate to oil paintings, so that we see a rapid sketch of John Ruskin at Glenfinlas, which was the basis of the famous portrait (in the

Ashmolean), and preliminary sketches for Arthur Hughes's *Home from Sea*, which shows a sailor-boy in an unkempt Old Chingford churchyard, Essex (also downstairs). The church is now all prinked up to within an inch of its life. Kenneth Garlick (former Keeper of Western Art at the Ashmolean) said in a lecture years ago that one of the benefits of paintings such as this was they lovingly recorded an England which we have lost. Pre-Raphaelitism is not just about young women wearing 'aesthetic toggery' (to use a phrase from Henry James's 'The Lesson of the Master'); there was also a landscape tradition, and the more we despoil our inheritance the more valuable works by artists such as Ruskin, Seddon, Inchbold and Boyce seem to be.

One of the most astonishing works in the exhibition is by Albert Moore. One thinks of him celebrating vapid, reclining and languorous women wearing luscious and diaphanous raiment (and sometimes none at all), but his treatment of plants round a tree trunk is simply uncanny in its attention to detail. He is an artist, to use Ruskin's words, who has gone to nature 'rejecting nothing, selecting nothing, and scorning nothing.'

One can't help comparing scenes in this exhibition with David Hockney's much-vaunted spring paintings in Normandy, done on an i-pad. Alastair Sooke says, rightly, that they lack depth, and ultimately they lack the intense concentration on appearances which an artist such as Alfred William Hunt went in for. For a time he was a Fellow of Corpus Christi. It's all very tight: his daughter was Venetia, Ruskin's god-daughter, and sketched by Burne-Jones. There are many other Oxford connections between the Pre-Raphaelites and Oxford. The senior partner of Oxford University Press Thomas Combe (1796-1872) was an important patron, whose collection forms the bulk of the Ashmolean holdings. Another Oxford worthy was James Wyatt (1774-1853) and the Millais portrait of him and his grand-daughter was done in the back room of his house—until recently Hobbs on the High Street, opposite All Saints' Church. Indeed, Millais's famous *Mariana* was done in the same room. One generation shakes hands with another here, since Wyatt was a patron of Turner and commissioned the famous 1812 picture of Oxford High Street. The decoration of the debating hall of the Oxford Union was a Pre-Raphaelite venture. The Natural History Museum is under the aegis of a Pre-Raphaelite aesthetic (see my review in *Oxford Magazine*, No. 407). Millais' *The Woodman's Daughter* was done up in Bagley Wood.

The skill of just about every work on view takes one's breath away. And the energy of the Movement was sustained for a long time. Marie Stillman (née Spartali), Evelyn de Morgan, John Collier and Frank Dicksee were painting Pre-Raphaelite works well into the twentieth century, and producing excellent drawings. It's as if Van

Gogh, Gauguin and Cézanne never existed. Eleanor Fortescue Brickdale survived well into my life-time. Her memorial to Charles Rolls shows an angel holding an aeroplane, and you can't get more modern than that. While we are mentioning women artists it's worth recalling G.P. Boyce's sister Joanna, who died tragically young and produced some really superb works. Nice drawings too.

Late Pre-Raphaelitism can segue into aestheticism, with an artist such as John William Waterhouse (1849-1917). A nice preliminary study for *Hylas and the nymphs* is on view – the painting 'cancelled' the other day at the Art Gallery in Manchester, 'influenced by recent movements against the objectification and exploitation of women.'

Fiona Mann's essay on the materials used by the painters is most informative, and reminds us that the media make significant contributions to what can be achieved. Some of Burne-Jones chalk drawings are as delectable, from the texture point of view, as Seurat's.

\* \* \*

Pre-Raphaelitism, in a sense, is a strongly realist movement, but it tended not to go in for the aggressive pursuit of frankness and ugliness which the contemporary French realism movement did. In the early days of the Brotherhood a gawiness was espoused, visible, for instance, in the drawings of Elizabeth Siddal and F.G. Stephens, but nothing as controversial as Courbet, Manet or Degas was ventured. There are nudes, but Ruskin's *Elements of Drawing* had little or nothing to say about life-drawing, and there was a waggish verse when William Morris thought he might use the daughter of the proprietor of the Trout Inn, Wolvercote, Georgiana Lipscombe, as a model:

*Poor Topsy has gone to make a sketch of Miss Lipscombe,  
But he can't draw the head, and don't know  
where the hips come.*

Jane Burden (who became Mrs. Morris), sharing with Lizzie Siddall the title of Queen of the Stunners, haled from Holywell Street, where her father was an ostler. Town rather than gown. Since the Pre-Raphaelites were in search of a new type of beauty their models were as likely to be found in lowly environments. It's the Pygmalion myth all over again. Incidentally, Rossetti often portrayed Jane Morris as soulful and remote, but she was a prodigious walker. He wrote to William Bell Scott from Kelmscott, 'I'm afraid I shan't do much poetry here, as my walks are seldom taken alone, Janey having developed a most triumphant pedestrian faculty; licks you hollow, I can tell you.' He was in no position to compete.

In addition to being a realist movement Pre-Raphaelitism was highly literary. Robert Wilkes's essay is a full study of the multiple texts behind the paintings – Dante,

Chaucer, Malory, Shakespeare, Keats, Scott, Tennyson, Browning, Coventry Patmore to name but a few. History too, though many will not find Gualdrada Donati and Buondelmonte (drawn by Burne-Jones) in the forefront of their minds. She it was who persuaded Buondelmonte to marry her own daughter instead of the daughter of Lambertuccio de' Amidei, a marriage that led to Buondelmonte's murder by the Amidei. Dante alludes to the event in *Paradiso*:

*O Buondelmonte, quanto mal fuggisti,  
le nozze sue per gli altrui comforti ! (xvi. 140-1).  
(Oh Buondelmonte, how ill didst thou flee its  
nuptials at the promptings of another !)*

Dante believed that this was the origin of the quarrel between the Guelphs and Ghibelines. The impressive drawing is in the Ashmolean – I'd rather it had been on view than some of the others selected. There are other Burne-Jones drawings for this subject, including one in the Fitzwilliam Museum, Cambridge. It looks as if he intended to do a painting, but it seems never to have been begun. The bibliography should perhaps include John Christian's article on the drawings in *Master Drawings*, 11 (Autumn 1973).

One is in touch with literature looking at Henry Wallis's portrait of Mary Ellen Meredith. (1858), since she eloped with the artist, which lead to George Meredith's bitter sonnet cycle *Modern Love* (c. 1858), a very different proposition from 'Love in the Valley' (1850). She was the daughter of Thomas Love Peacock. Meredith was the model for Wallis's very famous painting *The Death of Chatterton*. Not easy to register, looking at this little drawing, that she released forces 'thundering like ramping hosts of warrior horse.'

\* \* \*

This exhibition then is very coherent, concentrated and consistent, avoiding almost entirely the thought that there is a world elsewhere. There are one or two exceptions though. Millais' magnificent *Derby Day*, for instance, which says in a small space what it took square feet for William Powell Frith to say. And, startlingly, after all the standard offerings from Burne-Jones, a cartoon conversation piece with him and Helen Mary Gaskell in which both are fat. There is a whole body of such refreshing and amusing Burne-Jones cartoons, which are the welcome anti-type of his slender and sexless persons. He was able to make fun of the fact that William Morris was not blessed with a sylph-like form.

Most of the works are small scale and intimate, but there are a couple of gigantic pieces by Burne-Jones, which were drawings for a tapestry which the young girls at Winnington School in Cheshire were supposed to execute. This was intended for Ruskin, and if completed would have graced a house he thought of buying near

Ross-on-Wye in Herefordshire. The girls modelled for characters such as Medea and Cleopatra in Chaucer's *Legends of Good Women*. Burne-Jones had to explain to the 'damozels' how Medea might count as a 'good woman'. I suppose *The Winnington Letters* (1969) should be in the bibliography. Birmingham Museum and Art Gallery has a drawing for the complete design, with the names of the pupils modelling the different figures attached. Medea is Lucy for instance. Four other girls are Evelyn (Noyes?), Emma (Pignat?), Amy (Webster?) and Dora (Livesey?).

Just think: Ruskin could have ended up living in the Wye Valley – better for him than Brantwood in the Lake District where the climate just exacerbated his madness and melancholy. Ruskin's own drawings are well represented. In a hundred years' time such writings as *Unto this Last* will be forgotten, but his drawings will be remembered and valued, and regarded as his best achievement.

BERNARD RICHARDS

## Lucy Newlyn and the Beck of Poetry

Lucy Newlyn, *Vital Stream*, Manchester: Carcanet, 2019 (169 pages; 12.99 GBP; Paperback ISBN 9781784108076); *The Craft of Poetry: A Primer in Verse*, New Haven and London: Yale University Press, 2021 (186 pages; \$21.75; Hardcover ISBN 9780300251913).



Lucy Newlyn's masterful collection of sonnets *Vital Stream* arrived after the publication of her literary biography of Dorothy and William Wordsworth's creative collaboration, bringing her painstaking scholarship to a heightened emotional, intellectual, and poetic relationship with this literary family. If Newlyn's *William and Dorothy: All in Each Other* (OUP, 2013), a TLS Book of the Year, gave the lovers of Romantic poetry a holistic and deeply felt view into the creative symbiosis of these siblings, *Vital Stream* is a continuous song about the intricacies of their inner lives during the better half of 1802, when they set up permanent home in the Lake District. There, in that period, William and Dorothy set out to repair the time of separation since childhood and create a new life for themselves, nourished by the beauty of the natural world and a group of close friends. Brother and sister travelled to Calais for William formally to end the relationship with his long-estranged French lover, Anette Vallon, and their 9 year-old daughter, Caroline, whom he met for the first time on that occasion. Upon their return to England, William married Mary Hutchinson, further deepening the emotionally complex and creatively stunning relationship be-

tween him and Dorothy, a relationship that also defined the lives of Coleridge and the other friends around them.

Newlyn, who is a poet with five collections to her name and is now Emeritus Professor of English at Oxford University, has written widely on the Romantic poets, and enjoys significant recognition for her work. The rigorous research that inspired *Vital Stream* has served Newlyn well. The poems succeed at imagining the space between brother and sister, between Dorothy's journal and William's poetry, and they imagine their innermost feelings, as well as the voices of Coleridge, Sarah Hutchinson, Charles Lamb, Anette Vallon, and young Caroline, among the others. The sonnets draw from journals, published writing, and scholarship devoted to the Wordsworths: the notes at the end of the book indicate the primary sources from which they sprang. The very vitality of these sonnets is due in large part to Newlyn's deep knowledge of the work produced by the Wordsworths and their circle.

But meticulous research is only half of the gift these sonnets offer. What comes through on reading them is the music of thoughts and feelings: the restless questioning of how life becomes art, the sense of transport into the minds of others, the perception of change within oneself. This music of thoughts and feelings, set to the trustworthy rhythms of the form, varied and yet steadfast, animates this narrative sequence of sonnets. The poems seem to ask: Where does writing start? In the internalized sound of language, in rhyme, or in experience, in feelings, in observations? Which comes first, which turns into which?

Here is the sonnet "Dorothy, on collaboration"—written in Dorothy's voice—as an example of Newlyn's beautiful crafting of the form, and where we sense Newlyn as part of this poetic family; language itself in this poem is a manifestation of love and sympathy:

## All Shall Have Prizes

Sir—Now that Encaenia is back on the timetable, congratulations are due to whoever had the brilliant idea of an all-women slate for this year's ceremony.

Academic criteria have never been the sole grounds for these awards, as anybody knows who is even slightly aware of their history. It would greatly facilitate Wellington Square's strategic planning, therefore, if proposals for honorary degrees were made subject to a six-year cycle, as follows:

*My journal prompts him to write, sometimes  
At once, but it means more than this to me:  
With the day's rhythms, not the rule of rhymes,  
I germinate the seeds of poetry.  
At first, excited by my words, he follows  
Them too closely—not quite breaking free  
Of their immediacy; when allowed  
To breathe, his verse grows naturally.  
What is this force, this vital stream that flows  
Between us, but our love and sympathy?  
Poor dear Coleridge finds it comes and goes;  
Yet still it is a power we feel, all three.  
Whatever changes, whatever else we lose,  
Our writing—current remains swift and strong.  
In the undulations of verse and prose,  
We commingle and are borne along.*

There are many deeply moving poems in this sequence, many moments in the lives of Dorothy and William that are imagined or intimated with compassion and admiration. Each poem takes us along further into the story of those months as Newlyn has come to know it through her research and through her own intuitions and feelings. *Vital Stream* is essentially a poetic meeting of minds, where Newlyn is borne along with her beloved Romantic family on the stream of song. It is rare to find a more skillful and heartfelt expression of devotion of one poet to the work and lives of others.

When Newlyn was in her forties, her sister Sally became ill and lost her battle with cancer. The death of her father followed. The trauma triggered the onset of depression and of a long period of grief which affected her profoundly. It was at this point in her life that Newlyn began writing poetry, to make sense of her situation. In 2005 she published *Ginnel* with Oxford Poets/Carcantet, and since then has gone on to write a memoir and several other collections of poems. *The Craft of Poetry: A Primer in Verse*, the most delightful how-to-write book, written all in verse, brings out not only the attentive scholar in her, not only the tender or grieving poet, but the playful and thoughtful teacher who spent a lifetime

in the classroom guiding students in reading and understanding poetic form and poetic language. The primer covers foundations, figures, techniques, forms, and concepts. If one is searching for "meaning", for example, well, here is an excerpt from the poem with the same name:

*If you could see it, if you could only see to the  
bottom,  
you could describe the underlying substance  
in a word that everyone would understand.  
This would be the meeting point,  
the place of intersection.  
Meaning would have nowhere to hide.*

This is a book that illustrates and performs as it explains, and it makes a wonderful read not only for the practising poet who might be struggling with "antimetabole" or "zeugma" but for the curious reader who would like to know what they look like in the "real life" of the poem. Lucy Newlyn's poetry in this book is erudite, playful, and inventive. The readers will also discover a story about a bridge, a beck, and the village of Appersett, in Wensleydale, North Yorkshire, with a poet standing on the bridge, looking for images for the next journey in poetry and in life.

CARMEN BUGAN

Carmen Bugar's new and selected poems, *Lilies from America*, was published in 2019. She is also the author of three other collections of poems, a critical study on Heaney and East Europeans, and the memoir *Burying the Typewriter: Childhood Under the Eye of the Secret Police*. Her book of essays on politics and poetics, *Poetry and the Language of Oppression*, is published by Oxford University Press. She lives in Long Island, NY, and teaches at the Gotham Writers' Workshop in Manhattan.

## TO THE EDITOR

year 1. Women; 2. BAME; 3. LGBTQ+; 4. Persons with a disability; 5. Persons overcoming economic hardship either past (e.g. free school meals) or present (e.g. single

parentage); 6. Persons ineligible under all of the previous five categories.

Oxford would thus emphasise its unshakeable commitment to equality and total inclusivity without any distraction or detractor from academic standards.

Yours sincerely

PETER OPPENHEIMER

Christ Church

# CONTENTS

No. 433 Fifth Week Trinity Term 2021

Free expression TIM HORDER	1	Anna Akhmatova at Headington House A cloak of brilliant blue (remembering Anne Ridler) BRUCE ROSS SMITH	16
The Campaign against Ken Loach and St Peter's College AVI SHLAIM, JONATHAN ROSENHEAD and COLIN GREEN	3	Notes from Cambridge G.R. EVANS	16
Modern Languages Matters BEN BOLLIG	5	Utopian universities – but for whom? HELEN CARASSO	19
Gardening IF By a wild stream laughing Mot Juste KEITH EVETTS	7	Progress from the Grass Roots PETER OPPENHEIMER	20
Lockdowns and Legitimacy ROGER TEICHMANN	8	Stunning! BERNARD RICHARDS	21
What COP26 Won't Do JONATHAN SINCLAIR-WILSON	11	Lucy Newlyn and the Beck of Poetry CARMEN BUGAN	22
Miss Conception The Paranoiac-Critical Method DUNCAN WU	15	Letters to the Editor	23

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